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B I L L S,

PUBLIC:

FIVE VOLUMES.

—(4.)—

PARLIAMENTARY OATHS AMENDMENT

TO

RAILWAY CLAUSES.

Session

1 *February* —— 10 *August* 1866.

VOL. IV.

1866

B I L L S:

1866.

FIVE VOLUMES:—CONTENTS OF THE

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A

BILL

TO

Amend the Law relating to Parliamentary Oaths.

WHEREAS it is expedient to amend the Law relating to Oaths to be taken by Members of both Houses of Parliament on taking their Seats in every Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Form of Oath to be taken by Members of Parliament.

1. The Oath to be made and subscribed by Members of both Houses of Parliament on taking their Seats in every Parliament shall be in the Form following:

'I A.B. do swear that I will be faithful and bear true Allegiance 'to Her Majesty Queen Victoria, and will defend Her to the 'utmost of my Power against all Conspiracies and Attempts what-'ever which shall be made against Her Power, Crown, or Dignity.

'So help me GOD.'

The Name of the Sovereign for the Time being to be

2. Where in the Oath hereby appointed the Name of Her present Majesty is expressed the Name of the Sovereign of this Kingdom for the Time being by virtue of the Act "for the further Limitation "of the Crown, and better securing the Rights and Liberties of the "Subject,"

used in the Oath. 21 & 22 Vict. c. 48. s. 2.

"Subject," shall be substituted from Time to Time with proper Words of Reference thereto.

Time and Manner of taking the Oath. 30 Car. 2. Stat. 2. c. 1. s. 4. 13 W. 3. c. 6. ss. 10. 11.

3. The Oath hereby appointed shall in every Parliament be solemnly and publicly made and subscribed betwixt the Hours of *Nine* in the Morning and *Four* in the Afternoon by every Member of the House of Peers at the Table in the Middle of the said House before he takes his Place in the said House, and whilst a full House of Peers is there with their Speaker in his Place, and by every Member of the House of Commons at the Table in the Middle of the said House, and whilst a full House of Commons is there duly sitting, with their Speaker in his Chair, in such Order or Method as each House is called over.

Provision in favour of Quakers. 21 & 22 Vict. c. 48.

4. Every Person of the Persuasion of the People called Quakers, and every other Person for the Time being by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath, may, instead of taking and subscribing the Oath hereby appointed, make and subscribe a solemn Affirmation in the Form of the Oath hereby appointed, substituting the Words "solemnly, sincerely, and truly "declare and affirm," for the Word "swear," and omitting the Words "So help me God;" and the making and subscribing such Affirmation with such Substitution as aforesaid by a Person hereby authorized to make and subscribe the same shall have the same Effect as the making and subscribing by other Persons of the Oath hereby appointed.

Penalty for Omission to take Oath. 30 Car. 2. Stat. 2. c. 1. s. 8. 13 W. 3. c. 6. ss. 10. 11. 1 G. 1. c. 13. ss. 16. 17. 6 G. 3 c. 53.

5. If any Member of the House of Peers votes by himself or his Proxy in the House of Peers, or sits as a Peer during any Debate in the said House, without having made and subscribed the Oath hereby appointed, he shall for every such Offence be subject to a Penalty of *Five hundred Pounds*, to be recovered by Action in One of Her Majesty's Superior Courts at Westminster; and if any Member of the House of Commons sits as such in the said House, or votes during any Debate after the Speaker has been chosen, without having made and subscribed the Oath hereby appointed, he shall be subject to a *like Penalty* for every such Offence, and in addition to such Penalty his Seat shall be vacated in the same Manner as if he were dead.

Repeal of Acts.

6. There shall be repealed the several Acts and Parts of Acts specified in the Schedule hereto to the Extent in the said Schedule in that Behalf mentioned.

Short Title.

7. This Act may be cited for all Purposes as "The Parliamentary Oaths Act, 1866."

SCHE-

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
30 Car. 2. Stat. 2. c. 1.	An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament.	So much as is unrepealed.
13 Will. 3. c. 6.	An Act for the further Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales and all other Pretenders, and their open and secret Abettors.	Ss. 10, 11.
1 Geo. 1. stat. 2. c. 13.	An Act for the further Security of His Majesty's Person and Government and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors.	Ss. 16, 17.
6 Geo. 3. c. 53.	An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of Her late Majesty Queen Anne, intituled An Act for the Improvement of the Union of the Two Kingdoms, as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of High Treason.	So far as relates to Oaths to be taken by Members of either House of Parliament.
10 Geo. 4. c. 7.	An Act for the Relief of His Majesty's Roman Catholic Subjects.	So far as relates to Oaths to be taken by Members of either House of Parliament.
21 & 22 Vict. c. 48.	An Act to substitute One Oath for the Oaths of Allegiance, Supremacy, and Abjuration, and for the Relief of Her Majesty's Subjects professing the Jewish Religion.	So far as relates to Oaths to be taken by Members of either House of Parliament.
21 & 22 Vict. c. 49.	An Act to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion.	So far as relates to Oaths to be taken by Members of either House of Parliament.

Parliamentary Oaths Amendment.

A

B I L L

To amend the Law relating to Parliamentary Oaths.

(*Prepared and brought in by Sir George Grey and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed*, 13 *February* 1866.

[Bill 13.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Law relating to Parliamentary Oaths.

WHEREAS it is expedient to amend the Law relating to Oaths to be taken by Members of both Houses of Parliament on taking their Seats in every Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Oath to be made and subscribed by Members of both Houses of Parliament on taking their Seats in every Parliament shall be in the Form following:

Form of Oath to be taken by Members of Parliament.

'I A.B. do swear that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria; and I do faithfully promise to maintain and support the Succession to the Crown, as the same stands limited and settled by an Act passed in the Reign of King William the Third, intituled "An Act for the further "Limitation of the Crown, and better securing the Rights and "Liberties of the Subject:" So help me GOD.'

2. Where in the Oath hereby appointed the Name of Her present Majesty is expressed the Name of the Sovereign of this Kingdom for the Time being by virtue of the Act "for the further Limitation "of the Crown, and better securing the Rights and Liberties of the "Subject,"

The Name of the Sovereign for the Time being to be

used in the Oath. 21 & 22 Vict. c. 48. s. 2.

"Subject," shall be substituted from Time to Time with proper Words of Reference thereto.

Time and Manner of taking the Oath. 30 Car. 2. Stat. 2. c. 1. s. 4. 13 W. 3. c. 6. ss. 10. 11.

3. The Oath hereby appointed shall in every Parliament be solemnly and publicly made and subscribed by every Member of the House of Peers at the Table in the Middle of the said House before he takes his Place in the said House, and whilst a full House of Peers is there with their Speaker in his Place, and by every Member of the House of Commons at the Table in the Middle of the said House, and whilst a full House of Commons is there duly sitting, with their Speaker in his Chair, at such Hours and according to such Regulations as each House may by its Standing Orders direct.

Provision in favour of Quakers. 21 & 22 Vict. c. 48.

4. Every Person of the Persuasion of the People called Quakers, and every other Person for the Time being by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath, may, instead of taking and subscribing the Oath hereby appointed, make and subscribe a solemn Affirmation in the Form of the Oath hereby appointed, substituting the Words "solemnly, sincerely, and truly "declare and affirm," for the Word "swear," and omitting the Words "So help me God;" and the making and subscribing such Affirmation with such Substitution as aforesaid by a Person hereby authorized to make and subscribe the same shall have the same Effect as the making and subscribing by other Persons of the Oath hereby appointed.

Penalty for Omission to take Oath. 30 Car. 2. Stat. 2. c. 1. s. 8. 13 W. 3. c. 6. ss. 10. 11. 1 G. 1. c. 13. ss. 16. 17. 6 G. 3 c. 53.

5. If any Member of the House of Peers votes by himself or his Proxy in the House of Peers, or sits as a Peer during any Debate in the said House, without having made and subscribed the Oath hereby appointed, he shall for every such Offence be subject to a Penalty of Five hundred Pounds, to be recovered by Action in One of Her Majesty's Superior Courts at Westminster; and if any Member of the House of Commons sits as such in the said House, or votes during any Debate after the Speaker has been chosen, without having made and subscribed the Oath hereby appointed, he shall be subject to a like Penalty for every such Offence, and in addition to such Penalty his Seat shall be vacated in the same Manner as if he were dead.

Repeal of Acts.

6. There shall be repealed the several Acts and Parts of Acts specified in the Schedule hereto to the Extent in the said Schedule in that Behalf mentioned.

Short Title.

7. This Act may be cited for all Purposes as "The Parliamentary Oaths Act, 1866."

SCHE-

SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.
30 Car. 2. Stat. 2. c. 1.	An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament.	So much as is unrepealed.
13 Will. 3. c. 6.	An Act for the further Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales and all other Pretenders, and their open and secret Abettors.	Ss. 10, 11.
1 Geo. 1. stat. 2. c. 13.	An Act for the further Security of His Majesty's Person and Government and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors.	Ss. 16, 17.
6 Geo. 3. c. 53.	An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of Her late Majesty Queen Anne, intituled An Act for the Improvement of the Union of the Two Kingdoms, as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of High Treason.	So far as relates to Oaths to be taken by Members of either House of Parliament.
10 Geo. 4. c. 7.	An Act for the Relief of His Majesty's Roman Catholic Subjects.	So far as relates to Oaths to be taken by Members of either House of Parliament.
6 & 7 Vict. c. 6.	An Act to alter the Hours within which certain Oaths and Declarations are to be made and subscribed in the House of Peers.	The whole Act.
21 & 22 Vict. c. 48.	An Act to substitute One Oath for the Oaths of Allegiance, Supremacy, and Abjuration, and for the Relief of Her Majesty's Subjects professing the Jewish Religion.	So far as relates to Oaths to be taken by Members of either House of Parliament.
21 & 22 Vict. c. 49.	An Act to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion.	So far as relates to Oaths to be taken by Members of either House of Parliament.
22 Vict. c. 10.	An Act to settle the Form of Affirmation to be made in certain Cases by Quakers and other Persons by Law permitted to make an Affirmation instead of taking an Oath.	So far as relates to Oaths to be taken by Members of either House of Parliament.
23 & 24 Vict. c. 63.	An Act to amend the Act of the Twenty-first and Twenty-second Years of Victoria, Chapter Forty-nine, to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion.	The whole Act.

Parliamentary Oaths Amendment.

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend the Law relating to Parliamentary Oaths.

(Prepared and brought in by Sir George Grey and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed*, 15 *March* 1866.

[Bill 70.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

PARLIAMENTARY OATHS AMENDMENT BILL.

Note.—*The Page and Line refer to the Bill* (54.) *as printed by the Lords.*

Page 1.

Line 1. and Line 2. Leave out (" to amend the Law relating to " Oaths to ") and insert (" that One uniform Oath should ")

Line 14. Leave out (" an ") and insert (" virtue of the ")

Line 17. After (" Subject ") insert (" and of the subsequent Acts " of Union with Scotland and Ireland ")

Page 2.

Line 39. At the End of Clause 6. add (" Provided always, that " the Repeal of these Acts or any of them, or of any Parts thereof, " shall not be construed to weaken or in any Manner to affect any " Laws or Statutes now in force for preserving and upholding the " Supremacy of Our Lady the Queen, Her Heirs and Successors, in " all Matters Civil and Ecclesiastical within this Realm and other " Her Majesty's Dominions ")

[Bill 119.]

LORDS AMENDMENTS

TO THE

PARLIAMENTARY OATHS AMENDMENT BILL.

Ordered, by The House of Commons, *to be Printed*,
23 *April* 1866.

[Bill 119.]

Under 1 *oz.*

A

B I L L

TO

Amend the Act of the Seventh and Eighth Years of Victoria, Chapter Forty-four, relating to the Erection of new Parishes quoad sacra in Scotland.

WHEREAS by the Act of the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Forty-four, intituled "An Act to facilitate the disjoining or dividing "of extensive or populous Parishes, and the erecting of new Parishes, "in that Part of the United Kingdom called Scotland," Provision is made (by Section Eight) in the Case of a Church built or acquired, or undertaken to be built or acquired, and endowed or undertaken to be endowed by any Person or Persons at his, her, or their Expense, for the Erection of such Church, and a District to be attached thereto quod sacra, into a Church and Parish in connexion with the Church of Scotland: Preamble. 7 & 8 Vict. c. 44.

And whereas there are in Scotland United Parishes in which there are already Two or more Parish Churches maintained:

And whereas in such United Parishes an Increase of Population or other Change of Circumstances may take place, rendering it expedient under the Provisions of the said Act to apply for Disjunction from such United Parishes, and Erection into a Parish quoad sacra, of a District thereof:

And whereas by the said Act no Power is conferred upon the Heritors of such United Parishes to convey or make over any One

of the Parish Churches of such United Parish to the Party or Parties who shall have endowed or undertaken to endow such Parish quoad sacra:

And whereas it is reasonable and proper that such Power should be conferred:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows, viz.:

Power to convey to Quoad sacra Parish Trustees within a United Parish, One of the Parish Churches.

1. On an Application being made in Terms of the said Act of the Seventh and Eighth Years of Her present Majesty, Chapter Forty-four, to the Lords of Council and Session as Commissioners for Plantation of Kirks and Valuation of Teinds, it shall be lawful for the Heritors of any United Parish in Scotland, being Proprietors within such United Parish to the Extent of at least One hundred Pounds Sterling of Real Rent yearly from Land appearing on the Valuation Roll of the County, by a Majority in value of those present at a Meeting summoned by Intimation from the Pulpit in usual Manner for the Purpose, to authorize the Chairman at the Meeting to convey and make over to the Party or Parties who shall have endowed or undertaken to endow as a Parish quoad sacra such District within such United Parish the one of such Parish Churches most convenient to such District, as the Church of such Parish quoad sacra in all Time coming, and the Chairman so authorized shall execute the Conveyance of such Church in favour of such Party or Parties, and the Conveyance of such Church by the Chairman of such Meeting of Heretors shall be a valid Title thereto in all Time coming.

This and recited Act incorporated.

2. This Act shall be deemed to be incorporated with the recited Act, and the recited Act shall be read and have Effect accordingly.

Parishes (Scotland) Act, 1848, Amendment.

A

BILL

To amend the Act of the Seventh and Eighth Years of Victoria, Chapter Forty-four, relating to the Erection of new Parishes quoad sacra in Scotland.

(*Prepared and brought in by Mr. Waldegrave Leslie and Sir James Fergusson.*)

Ordered, by The House of Commons, *to be Printed*, 23 *July* 1866.

[Bill 232.]

Under 1 *oz.*

A

B I L L

TO

Amend and explain the Act of the Twenty-fifth and Twenty-sixth Years of Victoria, Chapter Fifty-eight, relating to Parochial Buildings in Scotland.

Preamble. 25 & 26 Vict. c. 58.

WHEREAS by the Act Twenty-fifth and Twenty-sixth Victoria, Chapter Fifty-eight, intituled "An Act to "make further Provision with respect to the raising of "Money for erecting and improving Parochial Buildings in "Scotland," (in this Act hereafter referred to as the recited Act,) it is enacted, by Section First, "that the Expression 'Parochial "Buildings,' in the said Act, shall mean and include Church, "Manse, Churchyard, Walls, Schoolhouse, and Schoolmaster's "House respectively;" and it is further enacted by Section Second, "that the Heritors of any Parish in Scotland in which any new or "additional Parochial Building is to be erected, or any existing "Parochial Building is to be improved or to be enlarged, may, at "any Meeting of such Heritors, resolve that the Money required to "defray the Expense of Erection, Improvement, or Enlargement "of such Parochial Building shall be raised by annual Assessments "extending over a Period of Ten Years;" and on the Adoption of such Resolution, such annual Assessments for the Period specified

therein shall be imposed, levied, and recovered from the Heritors of such Parish, and with the Liabilities and Rights of Relief as therein provided; and by the Third Section it is enacted, that on the Adoption of such Resolution it shall be lawful for the Heritors of such Parish to borrow the Money required to defray the Expense of the Erection, Improvement, or Enlargement of such Parochial Buildings, and in Security of the Repayment of the Money so borrowed, and the Interest thereof, to charge and assign the said annual Assessments by a Bond and Assignation, to be signed in manner therein mentioned:

And whereas Doubts have arisen as to whether the Powers to borrow Money and grant Bond therefor under said recited Act apply to the Purchase or Acquisition of Parochial Buildings as defined in the Act, and it is expedient that such Doubts should be removed, and the recited Act amended as herein-after provided:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, as follows: viz.,

Interpretation of the Expressions "Erection, Improvement, and Enlargement" in recited Act.

1. The Expressions "Erection, Improvement, and Enlargement," contained in the recited Act, shall extend and apply to the Purchase or Acquisition of Parochial Buildings for the Purposes of the said Act, and the Improvement and Enlargement thereof, and the Power to borrow Money required to defray the Expense of the Erection, Improvement, or Enlargement of such Parochial Buildings, and to grant Bond therefor, and the Interest thereof, repayable in Ten Years; and the Power to charge and assign the said annual Assessments, as contained in the recited Act, shall extend to and include the Price of Parochial Buildings already erected, purchased, or to be purchased for the Purposes of the Act, and the Ground attached thereto, and the Expense of improving and enlarging the same, including the Purchase of any Feu or Ground Annual payable for such Ground or Buildings; and the Creditors in or Persons having Right to such Bond and Assignation shall have the same Rights and Remedies for Recovery of the Sums, Principal and Interest, due under such Bond and Assignation, as are conferred by the said recited Act.

This and recited Act incorporated.

2. This Act shall be deemed to be incorporated with the recited Act, and the recited Act shall be read and have Effect accordingly.

Parochial Buildings (Scotland) Act Amendment.

A

BILL

To amend and explain the Act of the Twenty-fifth and Twenty-sixth Years of Victoria, Chapter Fifty-eight, relating to Parochial Buildings in Scotland.

(*Prepared and brought in by Mr. Waldegrave Leslie, Mr. William Miller, and Sir William Stirling Maxwell.*)

Ordered, by The House of Commons, to be *Printed*, 19 *July* 1866.

[Bill 222.]

Under 1 *oz.*

A

B I L L

TO

Make Provision for the Administration of the Patriotic Fund.

WHEREAS the Fund called the Patriotic Fund is administered under a Commission issued by Her Majesty the Queen, dated the Seventh Day of October One thousand eight hundred and fifty-four, and Doubts have arisen respecting the Power of Her Majesty to give Directions concerning the Application of the Fund further or other than those contained in the said Commission, and respecting other Matters connected with the Constitution and Powers of the Body of Commissioners and the Conduct of the Business relating to the Fund; and it is expedient that all Ground for such Doubts be removed: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Her Majesty to direct Application of Patriotic Fund for Purposes described.

1. It shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, by Commission under the Royal Sign Manual, directed to such Persons as to Her Majesty, Her Heirs or Successors, seem fit, to authorize and direct the Commissioners thereby constituted to apply the Patriotic Fund and the Income and Accumulations

tions thereof (in such Manner as any such Commission from Time to Time directs or as the Commissioners think fit) to the Purposes and in the Order following:

First, In the Relief and Education of Widows and Children of Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who lost their Lives in Battle, or from Wounds or by other Casualties, in the late War with Russia:

Secondly, In the Education, Training, and Advancement of Children of Soldiers, Seamen, and Marines of Her Majesty's Army and Navy who have lost or hereafter lose their Lives in Battle, or from Wounds or by other Casualties, in any other War;

And for any of those Purposes to extend or contribute to any Royal or other Charitable Institution for the Time being established for similar Purposes in the United Kingdom; and to employ a Secretary and Clerks at such Salaries, and with such retiring or other Allowances (if any), as therein provided, the same to be paid out of the Patriotic Fund.

Short Title.

2. This Act may be cited as "The Patriotic Fund Act, 1866."

Patriotic Fund.

A

BILL

To make Provision for the Administration of the Patriotic Fund.

(Prepared and brought in by General Peel, Sir John Pakington, and Mr. John Abel Smith.)

Ordered, by The House of Commons, *to be Printed,* 31 *July* 1866.

[Bill 257.]

Under 1 *oz.*

A

BILL

TO

Diminish the Expense and Delay in Decisions as to the Settlement of Paupers in Scotland.

Preamble.

WHEREAS it is expedient to diminish Expense in Questions relating to the Settlement of Paupers:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Cases brought before Court of Session by way of Action for Expenses of Paupers Maintenance to be remitted to Court hereby constituted.

1. That from and after the passing of this Act, in all Cases brought before the Court of Session in the first instance by way of Action by any Parochial Board for the Recovery of Sums expended in the Maintenance of Paupers, a Record shall be prepared and completed in usual Form; but the Case shall, upon such Completion of the Record, be remitted by the Lord Ordinary in order to its being decided by the Court constituted as herein-after provided.

Court shall consist of Three of the Lord Ordinaries of Court of Session.

2. The said Court shall consist of any Three of the Lord Ordinaries of the Court of Session, and the Clerk of the Lord Ordinary before whom the Case is enrolled shall act as Clerk to the said Court.

Mode of Procedure before said Court.

3. When the Case has been remitted to the said Court, the Court shall, in Cases where there is Matter of Fact material to be inquired into,

into, forthwith appoint a Diet for proceeding with Proof, and shall proceed to hear Evidence as in ordinary Trials by Jury in the Civil Court, and subject to the like Provisions as to Adjournment of the Diet or the Examination of Witnesses unable to attend, and on the Termination of the Proof shall proceed to dispose of the Case, both in regard to Matters of Fact and Matter of Law; and their Judgment, or that of a Majority of their Number, shall be final and conclusive, and not subject to Review.

Provision where Parties agree to Case being disposed of without an ordinary Action or Record completed.

4. Where it is agreed by the Parties interested in the Decision of such Questions to have the Case disposed of by the said Court without an ordinary Action or Record completed before a Lord Ordinary they may lodge a joint Case or separate Cases with the Clerk of the Senior Lord Ordinary, stating shortly the alleged Facts of the Case as agreed on, or as alleged by either Party, and the same shall be brought forthwith before the said Court, and the said Court shall determine the same where the Facts are admitted, and where Facts appearing to the Court material to the Issue are disputed Proof shall be allowed, and the Procedure herein-before provided followed out, and the Clerk of the Senior Lord Ordinary shall be Clerk to the said Court.

Court may sit on Mondays.

5. The said Court may, and in Cases where it is necessary for the Despatch of Business shall, sit on Mondays.

Court to pass Regulations as to Forms of Procedure.

6. The Court of Session shall be and are empowered to pass such Regulations relative to the Forms of Procedure before the said Court as may be thought fit.

Paupers (Scotland).

A

BILL

To diminish the Expense and Delay in Decisions as to the Settlement of Paupers in Scotland.

(*Prepared and brought in by Major Cumming Bruce and Mr. Patton.*)

Ordered, by The House of Commons, *to be Printed,* 19 *June* 1866.

[Bill 197.]

Under 1 *oz.*

A

B I L L

TO

Amend the Law relating to the granting of Pensions and Superannuation Allowances to Persons holding certain Offices connected with the Administration of Justice in England.

WHEREAS by divers Acts of Parliament Power is given to the Lord Chancellor to order Retiring Allowances to be paid, under certain Circumstances and upon certain Conditions, to Persons holding various Offices in the Courts of Chancery and in Bankruptcy and Lunacy respectively: Preamble. 15 & 16 Vict. c. 87. s. 46. 10 & 11 Vict. c. 97. s. 5. 3 & 4 W. 4. c. 94. s. 50. 5 & 6 Vict. c. 103.

And whereas it is expedient to extend that Power, and to make further Provision for the granting Retiring Allowances to Persons holding Offices connected with the Administration of Justice in England:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Term "Officer" in this Act shall extend to and mean any Person holding any Office in or connected with the Court of Chancery, Interpretation.

Chancery, or in Bankruptcy, or Lunacy, or in or in any Manner connected with any of Her Majesty's Superior Courts of Common Law at Westminster, and who, under any Act now in force, may, on Retirement, claim a Pension or Superannuation Allowance, save that the same shall not extend to any Judge of the High Court of Chancery or of any of the said Superior Courts of Common Law at Westminster:

The Term "Superannuation Allowance" shall extend to and mean every Kind of Pension or Annuity which, under any Act of Parliament now in force or to be hereafter passed, the Lord Chancellor has or shall have Authority to order to be paid, or which the Commissioners of Her Majesty's Treasury have or shall have Authority to appoint or direct to be paid, to any Person holding any Office in or connected with the Court of Chancery, or in Bankruptcy, or in Lunacy, or belonging to or in any Manner connected with any of Her Majesty's Superior Courts of Law in Westminster:

15 & 16 Vict. c. 87. s. 55.

The Expression "Lord Chancellor" shall mean and include the Lord High Chancellor of Great Britain and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom fo the Time bein

Applications by retiring Officers to be made to the Lord Chancellor.

2. From and after *the passing of this Act*, on the Retirement of any Officer afflicted with any permanent Infirmity disabling him from the due Execution of his Office, or otherwise in a Condition to claim Superannuation Allowance on Retirement, such Officer may make Application by Petition to the Lord Chancellor, setting forth his Service and Emoluments, in such Form and with such Particulars as the Lord Chancellor shall direct; and the Lord Chancellor, if he shall think fit, shall transmit such Application to the Commissioners of Her Majesty's Treasury for their Examination and Award; and the said Commissioners shall thereupon proceed to inquire into the Claim of such Officer to Superannuation Allowance, and, if he shall appear to be entitled thereto, shall award to him such Superannuation Allowance as shall be properly payable.

Commissioners of Treasury shall examine and award.

If such Superannuation Allowance is payable out of Monies voted by Parliament, the Commissioners of Her Majesty's Treasury shall direct the Payment thereof.

Lord Chancellor shall direct Payment when payable out of Suitors Fund.

If it is payable out of the Suitors Fund, as provided in "The Suitors in Chancery Relief Act, 1852," a Certificate shall be transmitted by the said Commissioners to the Lord Chancellor, to the Effect that Proof has been given to their Satisfaction that the Conditions required by Law to enable the Lord Chancellor to grant such Superannuation have been duly fulfilled, and setting forth the Amount

15 & 16 Vict. c. 87. s. 50.

Amount awarded, whereupon it shall be lawful for the Lord Chancellor to order Payment to be made accordingly.

Lord Chancellor's Orders subject to Provisions of this Act.

3. No Order shall be made by the Lord Chancellor for the Grant of any Superannuation Allowance to any Person who may be appointed to any such Office as aforesaid after *the passing of this Act*, except in the Manner herein-before provided, and subject in all respects to the Provisions of this Act, unless by any Act to be hereafter passed it shall be otherwise directed; and all Provisions contained in any Acts of Parliament now in force which are inconsistent with the Provisions of this Act are hereby repealed, except as to Persons appointed to any such Office as aforesaid before *the passing of this Act*.

Mode of determining Superannuation Allowance.

4. In ascertaining and awarding the Amount of such Superannuation Allowance, as regards any Officer appointed before *the passing of this Act*, the said Commissioners shall have regard to any special Provisions which may be contained in any Act with reference to the Office held by such Officer, and subject to any such special Provisions they shall take into consideration the whole Period during which such Person shall have been permanently employed in any Office or Situation connected in any way with the Administration of Justice, whether the same shall have been in One only or in more than One Branch or Department; and as regards all Officers hereafter to be appointed, the said Commissioners shall proceed according to the Principles laid down in the Act passed in the Session of the Fourth and Fifth Years of His Majesty King William the Fourth, intituled "An Act to alter and consolidate the "Law regulating the Pensions, Compensations, and Allowances to "be made to Persons in respect of their having held Civil Offices "in Her Majesty's Service," as amended by the Act passed in the Session of the Twenty-second Year of Her Majesty's Reign, intituled "An Act to amend the Laws concerning Superannuation and "other Allowances to Persons having held Offices in the Public "Service."

Lord Chancellor may declare Offices to be professional. 22 Vict. c. 26. s. 4.

5. It shall be lawful for the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, to order and declare by Writing under his Hand, with respect to any such Office as aforesaid, that the same is an Office for the due and efficient Discharge of the Duties of which Professional Qualifications, not ordinarily to be acquired in the Public Service, are required, and that it is in the Interest of the Public that Persons shall be appointed thereto at an Age exceeding that at which Public Service ordinarily begins; and further, by such Order and with such Consent of the said

And Years to be added.

said Commissioners as aforesaid, to direct that when any Person to be hereafter appointed to such Office, or any of such Class of Offices, shall retire from Public Service, a Number of Years, to be specified in such Order, shall, in computing the Amount of Superannuation Allowance which may be granted to him, be added to the Number of Years during which he may have actually served, and such Order shall have the same Effect, and shall be acted upon for the Purpose of ascertaining and awarding the Amount of such Superannuation Allowance as aforesaid, in the same Manner in all respects as if a like Declaration had been made by any Order or Warrant of the said Commissioners of the Treasury under the Provisions contained in Section Four of the "Superannuation Act, 1859."

Superannuation Allowances to be subject to Provisions of 22 Vict. c. 26.

6. From and after the Time when any such Superannuation Allowance shall have been so ascertained and awarded as aforesaid, all the Provisions of the said Act of the Fourth and Fifth Year of King William the Fourth, so far as the same is now in force, and the said "Superannuation Act, 1859," respectively, with respect to any Superannuation Allowances which may have been granted under the said Acts, and to the Persons entitled to receive such Superannuation Allowances, shall be applicable to the Superannuation Allowances so ascertained and awarded as aforesaid, and to the Persons entitled to receive the same, subject nevertheless to the special Provisions of this Act.

Pensions.

A

BILL

To amend the Law relating to the granting of Pensions and Superannuation Allowances to Persons holding certain Offices connected with the Administration of Justice in England.

(*Prepared and brought in by Mr. Attorney General, Mr. Chancellor of the Exchequer, and Mr. Childers.*)

Ordered, by The House of Commons, *to be Printed*, 12 *February* 1866.

[Bill 8.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Law relating to the granting of Pensions and Superannuation Allowances to Persons holding certain Offices connected with the Administration of Justice in England.

WHEREAS by divers Acts of Parliament Power is given to the Lord Chancellor to order Retiring Allowances to be paid, under certain Circumstances and upon certain Conditions, to Persons holding various Offices in the Courts of Chancery and in Bankruptcy and Lunacy respectively: Preamble.

And whereas it is expedient to extend that Power, and to make further Provision for the granting Retiring Allowances to Persons holding Offices connected with the Administration of Justice in England:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Term "Officer" in this Act shall extend to and mean any Person holding any Office in or connected with the Court of Chancery, Interpretation.

Chancery, or in Bankruptcy, or Lunacy, or in or in any Manner connected with any of Her Majesty's Superior Courts of Common Law at Westminster, and who, under any Act now in force, may, on Retirement, claim a Superannuation Allowance as hereinafter defined, and the same Term shall also extend to and include every Person holding any Appointment in any public Office whatever to whom the Lord Chancellor has or shall have Authority to order any Superannuation Allowance to be paid:

The Term "Superannuation Allowance" shall extend to and mean every Kind of Pension or Annuity which, under any Act of Parliament now in force or to be hereafter passed, the Lord Chancellor has or shall have Authority to order to be paid, or which the Commissioners of Her Majesty's Treasury have or shall have Authority to appoint or direct to be paid, to any such Officer as aforesaid:

15 & 16 Vict. c. 87. s. 55.

The Expression "Lord Chancellor" shall mean and include the Lord High Chancellor of Great Britain and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being.

Applications by retiring Officers to be made to the Lord Chancellor.

2. From and after the passing of this Act, on the Retirement or Removal of any Officer afflicted with any permanent Infirmity disabling him from the due Execution of his Office, or otherwise in a Condition to claim Superannuation Allowance on Retirement, such Officer may make Application by Petition to the Lord Chancellor, setting forth his Service and Emoluments, in such Form and with such Particulars as the Lord Chancellor shall direct; and the Lord Chancellor, if he shall think fit to approve of such Application, shall transmit the same to the Commissioners of Her Majesty's Treasury for their Examination and Award; and the said Commissioners shall thereupon proceed to inquire into the Claim of such Officer to Superannuation Allowance, and, if he shall appear to be entitled thereto, shall award to him such Superannuation Allowance as shall be properly payable.

Commissioners of Treasury shall examine and award.

If such Superannuation Allowance is payable out of Monies voted by Parliament, the Commissioners of Her Majesty's Treasury shall direct the Payment thereof.

Lord Chancellor shall direct Payment when payable out of Funds under his Control.

15 & 16 Vict. c. 87. s. 50.

If it is payable out of any Fund in Chancery, Bankruptcy, or Lunacy, or any other Fund under the Control and Administration of the Lord Chancellor, a Certificate shall be transmitted by the said Commissioners to the Lord Chancellor, to the Effect that Proof has been given to their Satisfaction that the Conditions required by Law to enable the Lord Chancellor to grant such Superannuation have been duly fulfilled, and setting forth the Amount

Amount awarded, whereupon it shall be lawful for the Lord Chancellor to order Payment to be made accordingly.

Mode of determining Superannuation Allowance.

3. In ascertaining and awarding the Amount of such Superannuation Allowance, as regards any Officer who may have entered the Public Service before the passing of this Act, the said Commissioners shall have regard to any special Provisions which may be contained in any Act with reference to the Office held by such Officer, and subject to any such special Provisions they may take into consideration the whole Period during which such Person shall have been employed in any Office or Situation connected in any way with the Public Service, whether the same shall have been in One only or in more than One Branch or Department; and as regards all Officers hereafter to be appointed, the said Commissioners shall proceed according to the Principles laid down in the Act passed in the Session of the Fourth and Fifth Years of His Majesty King William the Fourth, intituled "An Act to alter and consolidate the "Law regulating the Pensions, Compensations, and Allowances to "be made to Persons in respect of their having held Civil Offices "in Her Majesty's Service," as amended by the Act passed in the Session of the Twenty-second Year of Her Majesty's Reign, intituled "An Act to amend the Laws concerning Superannuation and "other Allowances to Persons having held Offices in the Public "Service."

Lord Chancellor may declare Offices to be professional. 22 Vict. c. 26. s. 4.

4. It shall be lawful for the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, to order and declare by Writing under his Hand, with respect to any such Office or Appointment as aforesaid, that the same is an Office or Appointment for the due and efficient Discharge of the Duties of which Professional or other peculiar Qualifications, not ordinarily to be acquired in the Public Service, are required, and that it is in the Interest of the Public that Persons shall be appointed thereto at an Age exceeding that at which Public Service ordinarily begins; and further, by such Order and with such Consent of the said Commissioners as aforesaid, to direct that when any Person now holding or to be hereafter appointed to such Office or Appointment, or any of such Class of Officers, shall retire from Public Service, a Number of Years, to be specified in such Order, shall, in computing the Amount of Superannuation Allowance which may be granted to him, be added to the Number of Years during which he may have actually served, and such Order shall have the same Effect, and shall be acted upon for the Purpose of ascertaining and awarding the Amount of such Superannuation Allowance as aforesaid, in the same Manner in all respects as if a

And Years to be added.

like Declaration had been made by any Order or Warrant of the said Commissioners of the Treasury under the Provisions contained in Section Four of the "Superannuation Act, 1859."

Superannuation Allowances to be subject to Provisions of 22 Vict. c. 26.

6. From and after the Time when any such Superannuation Allowance shall have been so ascertained and awarded as aforesaid, all the Provisions of the said Act of the Fourth and Fifth Years of King William the Fourth as amended by the said "Superannuation Act, 1859," respectively, with respect to any Superannuation Allowances which may have been granted under the said Acts, and to the Persons entitled to receive such Superannuation Allowances, shall be applicable to the Superannuation Allowances so ascertained and awarded as aforesaid, and to the Persons entitled to receive the same, subject nevertheless to the special Provisions of this Act.

Officers entitled to Superannuation before passing of this Act not to be affected.

6. Nothing in this Act contained shall restrict, abridge, or qualify the Right of any Officer who shall have entered the Public Service before the passing of this Act to any Superannuation Allowance which, under the Provisions of any Act or Acts now in force, such Officer might have been entitled to if this Act had not passed; nor shall any such Officer as last aforesaid be subject, after any Superannuation Allowance shall have been awarded to him, to any of the Provisions contained in the said Act of the Fourth and Fifth Years of King William the Fourth as amended by the said "Superannuation Act, 1859," to which he would not have been subject if this Act had not passed.

Saving as aforesaid, Act to apply to present and future Officers.

7. Save as herein-before provided, this Act shall apply as well to all Officers who have already entered the Public Service as to those who may hereafter enter the Public Service; and all Acts of Parliament now in force, by virtue of which any such Superannuation Allowances as aforesaid may be granted, shall henceforth be construed and take effect subject to the Provisions of this Act.

Pensions.

A

BILL

[AS AMENDED IN COMMITTEE]

To amend the Law relating to the granting of Pensions and Superannuation Allowances to Persons holding certain Offices connected with the Administration of Justice in England.

(*Prepared and brought in by Mr. Attorney General, Mr. Chancellor of the Exchequer, and Mr. Childers.*)

Ordered, by The House of Commons, *to be Printed*, 26 *February* 1866.

[Bill 40.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

PENSIONS BILL.

Note.—*The Page and Line refer to the Bill* (47.) *as printed by the Lords.*

Page 2.

Line 24. After ("Officer") insert ("or in case of his Inability "to act for himself, then any Person on his Behalf")

Page 3.

Line 24. Leave out from ("Chancellor") to ("declare") in Line 26, and insert ("to")

Line 33. Leave out ("by such Order and with such"), and insert ("with the")

Line 34. Leave out ("said"), and leave out ("as aforesaid to"), and insert ("of Her Majesty's Treasury to order and").

Line 37. After ("Years") insert ("not exceeding Twenty")

Page 4.

Line 25. After ("passed") insert Clauses A. and B.

CLAUSE A. "Nothing in this Act contained shall affect the Power "conferred upon the Lord Chancellor by the Forty-seventh Section "of the Act passed in the Session of Parliament held in the Fif- "teenth and Sixteenth Years of the Reign of Her Majesty, intituled "'An Act for the Relief of the Suitors of the High Court of Chan- "'cery,' so far as it empowers the Lord Chancellor to remove any "Officer or Person who shall be afflicted with any Infirmity which "shall disable him from the due Execution of his Office, and who "shall refuse to resign or shall become incapable of resigning the "same."

Act not to affect Power of Lord Chancellor as conferred by 15 & 16 Vict. c. 87. s. 47.

CLAUSE B. "Nothing in this Act contained shall affect the Power "conferred on the Lord Chancellor by the Thirteenth Section of the "Act passed in the Session of Parliament holden in the Sixteenth "and Seventeenth Years of the Reign of Her Majesty, intituled 'An

Act not to affect Power of Lord Chancellor as conferred by 16 & 17 Vict. c. 70. s. 13.

" ' Act for the Regulation of Proceedings under Commissions of
" ' Lunacy, and the Consolidation and Amendment of the Acts
" ' respecting Lunatics so found by Inquisition, and their Estates,
" so far as it empowers the Lord Chancellor to remove any Master
" in Lunacy who shall be afflicted with any permanent Infirmity
" disabling him from the due Execution of his Office, and who
" shall refuse to resign or shall be incapable of resigning the same."

LORDS AMENDMENTS

TO THE

PENSIONS BILL.

Ordered, by The House of Commons, *to be Printed*,
27 *July* 1866.

[Bill 249.]

Under 1 *oz.*

Petit Juries (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Clause.

1. Short Title.
2. Extent of Act.
3. Interpretation of Terms.
4. Repeal of Acts and Parts of Acts set forth in the First Schedule.
5. Qualification of Jurors.
6. Exemptions.
7. No Justice to serve within his own Jurisdiction at any Sessions of the Peace.
8. Disqualifications.
9. Juries de medietate linguæ.
10. Clerk of Peace to issue Precepts to Clerks of Unions.
11. Clerks of Unions to return Lists.
12. Preparation of Lists for the City of Dublin.
13. Clerk of Peace to prepare List of Jurors from List of Parliamentary Voters.
14. Clerk of Peace to prepare General List of Jurors.
15. Clerk of Peace to prepare "List of Special Jurors."
16. Revision of Lists by Parliamentary Revision Court.
17. Preparation of "Jurors Book" and "Special Jurors Book."
18. Correction of Jurors Books and Special Jurors Book.
19. Presentment of Expenses.
20. General Precept for the Return of Jurors.—Precept for the Return of Special Jurors.
21. General Precept for Courts of Common Law at Dublin.
22. Saving of Powers of Courts to order Return of Jurors as heretofore.
23. Special Jury may be returned according to former Practice.
24. Returning Officers to have Access to Jurors Books, and all Names to be returned from the Jurors Books.
25. Sheriff shall apply for Precepts.—Names to be selected of Jurors who have not recently served.

26. Summoning

Clause.
26. Summoning of Jurors.—Books of Summonses to be kept.
27. Fine on Jurors making default.
28. Balloting for Jurors in Civil Cases.
29. Name not being on Jurors Book good Ground of Challenge.
30. Costs of Special Jury.
31. Tales de Circumstantibus.
32. Power to send Juries to adjoining County for the Night.
33. Sheriff indemnified for returning Names contained in Jurors Book.—Fines imposed on Sheriffs and other Officers for Misconduct.
34. No Money to be taken by any Officer to excuse Persons from serving.—None to be summoned but those named in the Warrant.—Penalties for Neglect or Misconduct.
35. Penalties for Neglect to prepare Lists, &c.
36. Penalties on Clerks of Peace, Sheriffs, &c. for Neglect.
37. Qualification of Jurors on Writs of Inquiries, &c.—This Act not to extend to Coroners Inquests.
38. Sheriffs and other Officers empowered to fine Jurors.
39. Embracery and corrupt Jurors punishable.
40. Fines to be levied as provided by "Fines Act (Ireland), 1851."
41. Commencement of Act.
42. Jurors Books in Use to be continued until new Books prepared.

SCHEDULES.

A

B I L L

TO

Consolidate and amend the Laws relating to Petit Juries in Ireland.

WHEREAS it is expedient to consolidate and amend the Laws relating to Petit Juries in Ireland: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Juries Act (Ireland), 1866." Short Title.

2. This Act shall extend to Ireland only. Extent of Act.

3. In this Act and the Schedules annexed hereto the following Words shall be respectively construed as herein-after defined, unless there be something in the Subject Matter or Context repugnant to such Construction or Definition; that is to say, Interpretation of Terms.

The Word "County" shall mean and include a Riding of a County having a separate Commission of the Peace, and also a County of a City and a County of a Town:

The Word "Court" shall mean and include each of the Superior Courts of Common Law at Dublin, and every Court of Assize,

Nisi Prius, Oyer and Terminer, and Gaol Delivery, and every General Sessions of the Peace, and every Recorder's Court:

The Word "Judge" shall include every Justice and Commissioner of Assize, Nisi Prius, Oyer and Terminer, and Gaol Delivery, and also every Chairman of Justices presiding at General Sessions of the Peace for any County, and every Recorder, and also every Person duly appointed and acting as Deputy for any of the Judges aforesaid:

The Word "Sheriff" shall include Under Sheriff.

The Words "Clerk of the Peace" shall include Deputy Clerk of the Peace:

The Words "Clerk of a Poor Law Union" shall include Deputy Clerk of a Poor Law Union.

Repeal of Acts and Parts of Acts set forth in the First Schedule.

4. From and after the *Commencement of this Act* the several Acts and Parts of Acts set forth in the First Schedule hereto annexed, to the Extent to which the same are by the said Schedule expressed to be repealed, shall be and the same are hereby repealed, except as to anything done before the Commencement of this Act, and except as to the Enforcement of any Penalty for any Offence committed before the Commencement of this Act, and except so far as any of the said Acts or Parts of Acts expressly or by Implication repeal any former Act or Acts or Part or Parts of any former Act or Acts.

Qualification of Jurors.
3 & 4 W. 4. c. 91. s. 1.
13 & 14 Vict. c. 69. s. 1.
13 & 14 Vict. c. 69. s. 13.

5. Every Man, except as herein-after excepted, resident in any County in Ireland, who shall be either in his own Name or as a Member of a Firm or Copartnership rated for the Relief of the Poor in respect of Lands, Tenements, or Hereditaments within such County, of the net annual Value of *Thirty Pounds* or upwards, or whose Name shall appear in the Register for the Time being of Parliamentary Voters for such County, or for any Borough wholly or partly included within such County, as a Freeholder or Copyholder or Lessee or Assignee of a Lease of any Lands, Tenements, or Hereditaments situate within such County, or within any Borough or Part of a Borough included within such County, of the net annual Value of *Twenty Pounds* or upwards, shall be qualified and liable to serve on all Juries for the Trial of all Issues, Civil and Criminal, joined in any of the Queen's Courts and triable in the County in which such Man shall reside, and shall also be qualified and liable to serve on all Grand Juries within such County, and on all Inquests and Inquiries duly held within such County under any lawful Writ or Commission, by or before any Sheriff or Coroner, or by or before any Master of or Commissioner appointed by any of the Superior Courts of Common Law or Equity,

Equity, or by or before any Commissioner appointed under the Great Seal, or the Seal of the Court of Exchequer: Provided always, that every Man, except as herein-after excepted, who shall carry on any Trade or Business in any House, Office, Shop, Store, or Place of Business in any County in Ireland, shall, for the Purposes of this Act, be deemed to be resident in such County.

Exemptions. 3 & 4 W. 4. c. 2.

6. All Persons above the Age of Sixty Years; all Peers and Privy Councillors; all Judges of any of the Queen's Courts of Record; all Members of Parliament; all Serjeants and Barristers-at-Law actually practising, or holding and performing the Duties of any Place or Office of Emolument under the Crown; all Proctors, Attorneys, and Solicitors actually practising and having duly taken out their annual Certificates; all Officers of any of the Queen's Courts, or of any Ecclesiastical Court, actually performing the Duties of their respective Offices; all Recorders, resident Stipendiary Magistrates, Coroners, Gaolers, and Keepers of Houses of Correction actually performing the Duties of their respective Offices; all Poor Law Inspectors and Sub-Inspectors, Inspectors and Sub-Inspectors of National Schools, Prisons and Factories; all Medical and Surgical Practitioners duly registered and actually practising; all Apothecaries actually carrying on Business and duly certified by the Court of Examiners of the Governor and Company of the Apothecaries Hall of the City of Dublin or of London; all Officers of Her Majesty's Navy or Army on Full Pay or on active Service; all Persons employed and acting in the Service of the Police, Constabulary, Customs, Excise, or Post Office; all Sheriffs, Sub-Sheriffs, and Sheriffs Officers; all Town Clerks, Parish Clerks, and Clerks of Petty Sessions, and their respective Deputies; all County Surveyors, County Treasurers, and Secretaries to Grand Juries, and their respective Deputies, Clerks, and Assistants; all Notaries Public, and Commissioners for taking Affidavits for any of the Superior Courts of Law or Equity; all Masters of Vessels and duly licensed Pilots; all Publicans and Persons licensed to sell Spirits by Retail to be consumed on the Premises; and also all Persons heretofore exempted by virtue of any Prescription, Charter, Grant, Writ, or Local or Personal Act of Parliament, shall be absolutely freed and exempted from serving on any Jury or Inquest whatsoever, and the Names of such Persons shall not be inserted in the Jurors Lists or Jurors Rooks to be prepared by virtue of this Act, as herein-after directed: Provided always, that if the Name or Names of any Person or Persons so exempted as aforesaid shall be inserted in any of the said Jurors Lists or Books, and shall not have been removed therefrom as herein-after provided, such Person or Persons shall not, if returned upon any Pannel or

Pannels, be entitled to claim Exemption from serving on any Jury or Juries called from such Pannel or Pannels, or be excused, challenged, or objected to by reason only of being entitled to Exemption as aforesaid.

No Justice to serve as a Juror within his own Jurisdiction at any Sessions of the Peace.
3 & 4 W. 4. c. 91. s. 38.

7. No Justice of the Peace shall be summoned, impannelled, or permitted to serve as a Juror at any Sessions of the Peace, or in any Civil Bill Court or Recorder's Court, within the Jurisdiction of which he is a Justice.

Disqualifications.
3 & 4 W. 4. c. 91. s. 3.

8. All Infants under the Age of Twenty-one Years; all Persons not being natural-born Subjects of the Queen (except in the Cases herein-after expressly provided for); all Persons attainted of Treason or Felony, or convicted of any Crime that is infamous (unless having obtained a free Pardon), or having at any Time within Five Years undergone Punishment by Imprisonment for any Criminal Offence; all Bankrupts not having obtained their Certificates, and all Persons discharged as Insolvent Debtors, shall be disqualified from serving on any Jury or Inquest whatsoever: Provided always, that if any Person or Persons so disqualified as aforesaid shall be sworn and shall have served upon any Jury or Inquest, and shall not have been objected to by reason of such Disqualification before Verdict, such Verdict shall not thereafter be impeached or questioned by reason of such Person or Persons having so served as aforesaid.

Juries de medietate linguæ.
3 & 4 W. 4. c. 91. s. 37.

9. Nothing herein contained shall deprive any Alien charged before any Court with any Felony or Misdemeanor of the Right of being tried by a Jury de medietate linguæ, but on the Prayer of every Alien so charged the Sheriff or other proper Officer shall, when so ordered by the Court, and within such Time as the Court shall direct, return for One Half of the Jury a competent Number of Aliens, if so many there be in the Place where the Trial is had, and if not then so many as shall be there found, and no such Alien Juror shall be challenged for Want of any Qualification with respect to Property required by this Act, but every such Alien may be challenged for any other sufficient Cause.

Clerk of Peace to issue Precept to Clerks of Unions.
13 & 14 Vict. c. 69. s. 20.

10. The Clerk of the Peace of every County in Ireland, except the County of the City of Dublin, shall, within One Week after the *First Day of July* in every Year, issue and deliver his Precept in the Form A. set forth in the Second Schedule hereto annexed, to the Clerk of each Poor Law Union wholly or partly included within such County, requiring each such Clerk to prepare and return to such Clerk of the Peace on or before the *First Day of August*

August next ensuing a complete and true List of all Men rated in the then last Rate made in the said Union for the Relief of the Poor in respect of Lands, Tenements, or Hereditaments within such included Union, or any Part thereof within such County, of the net annual Value of *Thirty Pounds* or upwards, and shall cause a sufficient Number of Forms to be printed according to the Form B. set forth in the Second Schedule hereto annexed, at the Expense of the County, and shall issue and deliver with the said Precept a sufficient Number of the said Forms for the Use of the Persons by whom the same are to be filled up and returned as herein-after provided.

Clerks of Unions to return Lists. 13 & 14 Vict. c. 69. s. 20.

11. The Clerk of every Poor Law Union shall forthwith after the Receipt of such Precept from the Clerk of the Peace prepare, in Alphabetical Order of Surnames, and consecutively numbered, a complete and true List in the Form B. set forth in the Second Schedule hereto annexed, of the Names of all Men rated as aforesaid in respect of Lands, Tenements, and Hereditaments within such Union and County, with their Christian Names and Surnames written at full Length, and with the true or last known Place of Abode, and the Title, Quality, Calling, or Business, and the net annual Value and Place of the rated Property of each such Man, and shall inscribe the same in the proper Columns of the said Forms, and shall, on or before the *First Day of August* next ensuing the Receipt of such Precept as aforesaid, deliver the said Forms, with the said List so inscribed thereon, to the Clerk of the Peace of the County, with a Declaration at Foot thereof signed by the Clerk of the Union delivering the same, that the same has been fully and correctly prepared from the Rate Books of the Union, in pursuance of the Provisions of this Act.

Preparation of Lists for the City of Dublin. 12 & 13 Vict. c. 91. s. 87.

12. The Clerk of the Peace of the County of the City of Dublin shall at the Time aforesaid in every Year issue and deliver a like Precept with like Forms to the Collector General of Rates for the City of Dublin, requiring the said Collector General to prepare and return to the said Clerk of the Peace a like List for the County of the City of Dublin; and the said Collector General shall within the Time aforesaid prepare, inscribe, and return such List for the County of the City of Dublin, in like Manner in all respects as is herein-before provided with respect to the Lists for the other Counties in Ireland.

Clerk of Peace to prepare List of Jurors from List of

13. The Clerk of the Peace of every County in Ireland shall, on or before the *First Day of August* in every Year, prepare, in Alphabetical Order of Surnames, and consecutively numbered, a complete

Parliamentary Voters. 13 & 14 Vict. c. 69. s. 64.

complete and true List in the Form C. set forth in the Second Schedule hereto annexed, of the Names of all Persons who shall appear on the then last revised Register of Parliamentary Voters for such County, or any Borough or Part of a Borough included within such County, as being Freeholders, Copyholders, Lessees, or Assignees of Leases of any Lands, Tenements, or Hereditaments within such County, or within any Borough or Part of a Borough included within such County, of the net annual Value of *Twenty Pounds* or upwards, with their Christian Names and Surnames written at full Length, and with the true or last known Place of Abode, and the Title, Quality, Calling, or Business of each such Person, and the net annual Value and Place of the Property in respect of which each such Person is registered as a Parliamentary Voter, and shall sign a Declaration at Foot thereof that the same has been fully and correctly prepared from the then last revised Registers of Parliamentary Voters for such County, and for every Borough or Part of a Borough included within such County, in pursuance of the Provisions of this Act.

Clerk of the Peace to prepare General List of Jurors.

14. The Clerk of the Peace of every County in Ireland shall, on or before the *Fifteenth Day of August* in every Year, cause to be made out and printed from all the said Lists so furnished to and made out by him as aforesaid, one true and complete General List in the Form D. set forth in the Second Schedule hereto annexed, containing the Names, arranged in Alphabetical Order of Surnames and consecutively numbered, of all the Persons contained in the said Lists or any of them who shall be qualified and liable to serve as Jurors, with their Christian Names and Surnames written at full Length, and with the true or last known Place of Abode, and the Title, Quality, Calling, or Business, and the net annual Value and Place of the Property of each Person so qualified and liable to serve as aforesaid; and such General List shall, when so made out and printed, be called the "General List of Jurors," and shall be kept in the Office of the Clerk of the Peace for the County until the same shall be revised as herein-after directed, and shall be open to Inspection therein at all reasonable Times without Hindrance, Fee, or Reward.

Clerk of Peace to prepare "List of Special Jurors." 3 & 4 W. 4. c. 91. s. 24.

15. The Clerk of the Peace of every County in Ireland shall on or before the *Thirty-first Day of August* in every Year cause a separate List to be made out from the said "General List of Jurors," and to be printed, in the Form D. set forth in the Second Schedule hereto annexed, containing the Names, arranged in Alphabetical Order of Surnames, and consecutively numbered, of all the Persons contained in the said "General List of Jurors" who are Sons of Peers,

Peers, Baronets, Knights, Magistrates, Persons who have served the Office of Sheriff, or Grand Juror at the Assizes, Bankers, Wholesale Merchants who do not carry on any Retail Trade, and Persons appearing in the said General List as being either in their own Names respectively, or as Members of any Firm or Copartnership, rated for the Relief of the Poor in respect of Lands, Tenements, or Hereditaments of the net annual Value of *Fifty Pounds* or upwards, or as Freeholders, Copyholders, Lessees, or Assignees of Leases of any Lands, Tenements, or Hereditaments of the annual Value of *Fifty Pounds* or upwards, and if such Persons shall not in all be so numerous as to furnish a competent Number of Persons out of whom a Special Jury Panel may conveniently be formed as hereinafter provided, then a sufficient Number of such other Persons whose Names are contained in the said "General List of Jurors" as shall, in respect of Rank and Property, be most eligible to make up a competent Number for the Purpose aforesaid, and which List shall be according to the like Form and contain the like Particulars in every respect as the said "General List of Jurors," and such List shall, when so made out and printed, be called the "List of Special Jurors," and shall be kept in like Manner and shall be open to the like Inspection as is herein-before provided respecting the said "General List of Jurors."

Revision of Lists by Parliamentary Revision Court.
13 & 14 Vict. c. 69. ss. 46, 47.
3 & 4 W. 4. c. 91. s. 9.
8 & 9 Vict. c. 67. ss. 1, 2, 3.

16. The Clerk of the Peace of every County in Ireland shall, *between the Eighth Day of September and the Twenty-fifth Day of October inclusive* in every Year, bring the "General List of Jurors" and "List of Special Jurors" so prepared as aforesaid before the Court or One of the Courts to be holden during the said Period within such County for the Revision of the Register of Parliamentary Voters for such County, and of the Time and Place of holding such Court every such Clerk of the Peace shall give previous Notice, by Advertisement in One or more public Newspapers circulating within such County, and such Clerk of the Peace, and also all Clerks of Poor Law Unions and other Persons who shall have taken part in preparing any of the said Lists, shall attend the said Court, and every lawful Adjournment thereof, and shall answer upon Oath all such Questions as shall be put to them by the Chairman or Barrister presiding in such Court, touching anything done by them in execution of the Provisions of this Act; and such Chairman or Barrister shall at the said Court, or at some lawful Adjournment thereof, revise the said "General List of Jurors" and "List of Special Jurors," and shall, upon sworn Testimony or any other Evidence satisfactory to such Chairman or Barrister, amend the said Lists by removing therefrom the Name of every Man whose Name shall appear therein respectively, who shall be

exempted or shall not be qualified under this Act, or who from any Cause shall be unfit to serve as a Juror, and by inserting therein the Name of every Man whose Name shall not appear therein respectively who shall be qualified and liable to serve under this Act, and by correcting and supplying all Errors and Omissions which shall be found in either of the said Lists; and when the said Lists shall have been so revised and amended, the Chairman or Barrister who shall have revised the same shall sign each of the said Lists at the Foot of the last Page thereof, and shall deliver the same to the Clerk of the Peace of the County, who shall place the same among the Record in his Office, and shall allow the same to be inspected at all reasonable Times without Hindrance, Fee, or Reward.

Preparation of "Jurors Book" and "Special Jurors Book."
3 & 4 W. 4. c. 91. ss 9. 24.

17. The Clerk of the Peace of every County in Ireland shall, on or before the *First Day of December* in every Year, cause to be printed a complete and true Copy of each of the said Lists, so revised and signed as aforesaid (each of said Copies to be printed in a separate Book), that is to say, of the "General List of Jurors" and of the "List of Special Jurors," and shall certify each of the said Books under his Hand, signed at the Foot thereof, to be a complete and true Copy of each of the said Lists respectively, and shall, on or before the *First Day of December* in every Year, deliver the same Books so certified and signed to the Sheriff of the County; and the said Books shall be respectively called "The Jurors Books for the Year ——" and "The Special Jurors Book for the Year ——" (inserting the Calendar Year for which each Book is to be in use); and every Book so prepared shall be brought into use on the *First Day of Hilary Term* next after it shall have been so delivered by the Clerk of the Peace to the Sheriff, and shall be used *until the First Day of Hilary Term of the Year next following*, and thenceforward until a new Book shall have been in like Manner made and delivered as aforesaid instead thereof; and every Sheriff on quitting his Office shall deliver all the said Books to the succeeding Sheriff.

Correction of Jurors Books and Special Jurors Books.
8 & 9 Vict. c. 67. s. 4.

18. If any "Jurors Book" or "Special Jurors Book" shall be found to contain any Name which ought not, or to omit any Name which ought to appear therein, it shall be lawful for any of Her Majesty's Superior Courts of Common Law, or for any Judge of any of the said Courts, or for the Chairman of Quarter Sessions, or Recorder for the County for which such "Jurors Book" or "Special Jurors Book" shall have been prepared, upon Complaint thereof, made upon Oath of the Fact by any Person whomsoever, to order any or every Sheriff, Clerk of the Peace, or Clerk of a Union,

Union, or any or every other Person or Persons who shall have prepared or taken part in preparing such "Jurors Book" or "Special Jurors Book," to attend in person before such Court, Judge, Chairman, or Recorder, and there to produce all or any Documents in the Custody, Possession, or Procurement of any such Person which such Court, Judge, Chairman, or Recorder shall require; and if upon Inspection of the said "Jurors Book" or "Special Jurors Book," and Examination of the said Persons and Documents, or any of them, any Defect or Defects, Error or Errors, shall be found in the said "Jurors Book" or Special Jurors Book," the said Court, Judge, Chairman, or Recorder shall order the same to be corrected or amended, and such Correction or Amendment shall be forthwith made and signed in such "Jurors Book" or "Special Jurors Book" by the Sheriff, in the Presence of the Court, Judge, Chairman, or Recorder ordering the same; and if any such Person as aforesaid shall fail to attend when so ordered, or to produce any Documents required as aforesaid, or if upon such Inspection or Examination as aforesaid any such Defect or Defects, Error or Errors, shall be proved to the Satisfaction of such Court, Judge, Chairman, or Recorder to have been caused by the wilful Act or Default, or by the culpable Negligence of any One or more of the said Persons, it shall be lawful for such Court, Judge, Chairman, or Recorder, in a Summary Way, to set any Fine not exceeding *Twenty-five Pounds*, for each Defect or Error so caused as aforesaid, upon every Person wilfully or culpably causing such Defect or Error as aforesaid, and to direct such Fine to be applied in Payment of the Costs of the Person or Persons who shall have complained of the same, or otherwise in such Manner as the Court, Judge, Chairman, or Recorder inflicting the Fine shall think fit.

Presentment of Expenses. 8 & 9 Vict. c. 67. s. 6.

19. It shall be lawful for the Grand Jury of every County, and for every Town Council empowered to make Presentments, as the Case may be, from Time to Time, at the next ensuing Assizes or Presenting Term, and they are hereby required, without previous Application at Presentment Sessions or otherwise, to present all such Sums of Money as they shall deem reasonable and necessary for defraying the Expense of any Printing done in pursuance of this Act, and any other Expenses attending the Execution of this Act.

General Precept for the Return of Jurors. 3 & 4 W. 4. c. 91. s. 10. 16 & 17 Vict. c. 113. ss. 109, 110. 112.

20. No Jury Process shall henceforth be necessary in any Case whatsoever; but it shall be lawful and sufficient for the Judge or any One of the Judges of any of Her Majesty's Courts before which the Attendance of Jurors shall be required, Fifteen Days at the least before the First Day upon which such Attendance

shall be required, to issue a Precept for the Return of Jurors under the Hand of such Judge, to the Sheriff or other Officer to whom the Return of Jurors shall belong, and from whose Bailiwick or Jurisdiction the Attendance of Jurors shall be required; and such Precept shall command the Sheriff or other Officer to whom the same shall be issued to summon and return on a Day or Days to be named therein, or from Day to Day after a Day or Days to be named therein, as Occasion shall require, a competent Number of good and lawful Men of the Body of the County qualified according to Law, and shall not require the same to be returned from any particular Venue within the County; and whenever the Attendance of Special Jurors shall be required before any such Court, such Precept shall further direct the Sheriff or other Officer to whom the same shall be issued to summon and return in like Manner a sufficient Number, to be named therein, of good and lawful Men of the Body of the County, qualified according to Law, to serve as Special Jurymen; and every such Sheriff or other Officer shall, pursuant to such Precept, and without any other Authority, summon and return all such Men as he shall be so required to summon in manner herein-after provided; and the Men so summoned and returned shall be qualified and liable to serve upon all Juries sworn or impannelled to try any Issue or Issues whatsoever which may come on for Trial before such Court, subject to all just Challenges and Objections.

Precept for the Return of Special Jurors.

21. Provided always, That it shall be lawful and sufficient for any One Judge of any of the Superior Courts of Common Law at Dublin, Fifteen Days at the least before the Commencement of each Term, to issue One general Precept for the Return of Jurors, under his Hand, to the Sheriffs of the County of Dublin and County of the City of Dublin respectively, commanding each of the said Sheriffs respectively to summon and return a sufficient Number of Common and Special Jurors for the Trial of all Issues in the Superior Courts of Common Law and Consolidated Court of Nisi Prius which may come on for Trial in any of the said Courts during such Term, or the Sittings after such Term; and the said Sheriffs respectively shall, pursuant to such Precept, and without any other Authority, summon and return a sufficient Number of such Jurors accordingly in manner herein-after provided; and the Men so summoned and returned shall be qualified and liable to serve upon all Juries sworn or impannelled to try any Issue or Issues whatsoever which may come on for Trial before any of the said Courts during such Term, or the Sittings after such Term, subject to all just Challenges and Objections.

General Precept for Courts of Common Law at Dublin.
16 & 17 Vict. c. 113. s. 111.

22. Pro-

Saving of Powers of Courts to order Return of Jurors as heretofore. 3 & 4 W. 4. c. 91. s. 15.

22. Provided always, That nothing herein contained shall be construed to prevent any of Her Majesty's Courts before which the Attendance of Jurors shall be required from having and exercising any and every Power and Authority which such Court might heretofore have or exercise, in issuing any Writ or Precept, or in making any Award or Order, orally or otherwise, for the summoning and Return of any Juror or Jurors for the Trial of any Issue or Issues before such Court, or for quashing, amending, enlarging, or otherwise dealing with any Pannel of Jurors returned to such Court; and the Return to every such Writ, Precept, Award, or Order, and all Proceedings thereon, shall be made and had as heretofore accustomed, save and except that all Jurors shall be qualified according to this Act, and shall be returned from the Body of the County, and not from any particular Venue within the County.

Special Jury may be returned according to former Practice. 3 & 4 W. 4. c. 91. s. 23. 16 & 17 Vict. c. 113. s. 112.

23. It shall be lawful for any of Her Majesty's Superior Courts in Ireland, or for any Judge of any of the said Courts, upon Motion made on behalf of the Queen, or upon Motion of any Prosecutor, Relator, or Traverser in any Criminal Case, or on any Penal Statute (except Indictments for Treason or Felony), depending in any of the said Courts, to order a Special Jury to be struck according to the Practice which existed before the passing of "The Common Law Procedure Amendment Act, 1853," for the Trial of any Issue joined in any of the said Cases, and triable by a Jury, and such Order shall be a sufficient Warrant for striking such Special Jury, and making a Panel thereof for the Trial of such Issue according to the Practice aforesaid, and the Jury so struck shall be the Jury returned for the Trial of such Issue.

Returning Officers to have Access to Jurors Books, and all Names to be returned from the Jurors Books. 3 & 4 W. 4. c. 91. s. 11.

24. Where any Precept for the Return of Jurors shall be issued to any Coroner, Elisor, or other Officer, he shall have free Access to the Jurors Book and Special Jurors Book for the current Year or for the preceding Year, as he may require; and no Sheriff or other Officer shall, in answer to any Precept for the Return of Common or Special Jurors, return the Name of any Person not contained in the Jurors Book or Special Jurors Book respectively for the Year current on the Day or first or earliest Day named in such Precept for such Return: Provided always, that if there shall be no Jurors Book or Special Jurors Book respectively in existence for such current Year, it shall be lawful for any such Officer to return Jurors from the Jurors Book and Special Jurors Book respectively, for the next preceding Year; and if any Person or Persons whose Name or Names shall not be contained in such Jurors Book or Special Jurors Book respectively shall be returned and sworn

as a Juror or Jurors upon any Trial without Objection, such Trial shall not be interrupted or deemed a Mistrial, nor shall the Verdict thereon be impeached or questioned on account of the Return of such Juror or Jurors: Provided that nothing herein contained shall be construed to prevent any Sheriff or other Officer, in making the Return to any Precept, from exercising his Discretion in framing the Panel annexed to such Return in such Manner as he is now by Law empowered to do, save so far as to prevent the Insertion in such Panel of any Name not contained in the Jurors Book or Special Jurors Book, as the Case may be.

Sheriff shall apply for Precepts. 16 & 17 Vict. c. 113. s. 111.

25. It shall be the Duty of every Sheriff within whose Bailiwick any Court shall be appointed to be held, before which the Attendance of Juries may be required, to apply for and procure to be issued in sufficient Time before the Time appointed for holding such Court all such Precepts as shall be necessary for commanding the Return of Jurors before such Court; and immediately after the Issue of any such Precept the Sheriff or other Officer to whom the same shall be issued shall, according to the Exigency of such Precept, select a sufficient Number of Names from the Jurors Book or Special Jurors Book, as the Case may be, and prepare a Panel thereof; and in all Cases (except in selecting Names of Jurors in obedience to any Precept issued under any Special Commission of Oyer and Terminer or Gaol Delivery) such Sheriff or other Officer shall select, so far as may be practicable, the Names of such Persons only as shall not have been summoned, and shall not have attended as Jurors, for the longest Period before the Time of such Selection; and in all Cases at the Time of making such Selection, the Sheriff or other Officer making the same shall inscribe the Date thereof in the Jurors Book or Special Jurors Book from which such Selection shall be made, and shall mark the Names selected by him; and the Jurors so selected shall be summoned, as herein-after provided, to form One Panel for the Trial of all Issues whatsoever which may come on for Trial at the then next ensuing Sittings of the Court or Courts for which such Precept shall have been issued; and a Pannel containing the Christian Names and Surnames, Places of Abode, and Additions of the Persons summoned, shall, Seven Days before the Day or the first or earliest Day named in such Precept for the Return of such Pannel, be made by such Sheriff or other Officer, and kept in the Office of such Sheriff or other Officer, and a sufficient Number of printed Copies thereof shall be procured by such Sheriff or other Officer, and on Payment of all lawful Fees delivered to any Person or Persons by Law entitled to demand the same.

Names to be selected of Jurors who have not recently served.

16 & 17 Vict. c. 113. s. 109.

3 & 4 W. 4. c. 91. s. 14. 16 & 17 Vict. c. 113. s. 110.

26. The

Summoning of Jurors. 3 & 4 W. 4. c. 91. s. 18.

26. The Summons of every Man to serve on any Jury in any Court shall be made by the proper Officer Six Days at least before the Day on which the Attendance of such Man shall be required, by showing to the Man summoned, or in case he shall be absent from his usual Place of Abode, by leaving with some Person there inhabiting, a Note in Writing under the Hand of the Sheriff or other Officer, containing the Substance of such Summons, with the Time and Place at which the Attendance of such Man shall be required; and every Officer summoning Jurors under this Act shall keep a Book or Books, in which he shall truly enter the Name of every Person so summoned by him, with the Day on which such Summons shall be served, and the Manner and Particulars of the Service thereof; and every such Officer shall attend and shall (if required) produce such Book or Books at the Sitting of the Court, and verify the same upon Oath, or shall cause such Book to be produced to the Court in case of the unavoidable Absence of such Officer; and in case of the Death, Illness, or unavoidable Absence of such Officer, the Book of such Officer, kept by him as aforesaid, verified on Oath as to his Handwriting by some credible Person, shall (if required) be produced to the Court, and shall be primâ facie Evidence of the Truth of the several Matters entered therein as aforesaid; and if any such Officer shall, without reasonable Excuse, neglect to summon any Juror as herein-before directed, or to keep such Book, or to make such Entries therein as aforesaid, or to attend the Court, or produce or verify, or cause to be produced, the said Book, as herein-before provided, every Officer so offending may for every such Neglect be fined by the Court in a summary Way in any Amount not exceeding *Ten Pounds* for each such Offence, with the Alternative of Imprisonment in default for any Period not exceeding *Seven Days*.

Books of Summonses to be kept. 14 & 15 Vict. c. 57. s. 19.

Fine on Jurors making default. 3 & 4 W. 4. c. 91. s. 32.

27. If any Man having been duly summoned to attend as a Juror before any Court shall not attend in pursuance of such Summons, or being twice called shall not answer to his Name, or if any such Man, or any Talesman, after having been called, shall be present, but not appear, or after appearing shall wilfully withdraw himself from the Court, the Court may set such Fine, not exceeding *Fifty Pounds*, upon every such Man or Talesman so making default as to the Court shall seem meet, unless some sufficient Excuse shall be proved by Oath or Affidavit: Provided always, that when any Viewer, having been duly chosen and summoned according to Law, shall make any such Default as aforesaid, the Court shall, in a summary Way, set upon such Viewer a Fine not less than *Five Pounds*, and as much more as the Court shall think proper, unless some sufficient Excuse shall be proved as aforesaid.

16 & 17 Vict. c. 113. s. 116.

 28. The

Balloting for Jurors in Civil Cases.
3 & 4 W. 4. c. 91. ss. 19. 25.
16 & 17 Vict. c. 113. s. 112.

28. The Name of each Man who shall be summoned and returned, either as a Common or Special Juror, for the Trial of any Issue or Issues of a Civil Nature in any Court, with the Place of his Abode and Addition, shall be written on a distinct Piece of Card, such Pieces of Card being all as nearly as may be of an equal Size, and the said Pieces of Card shall be delivered to the Clerk of the Court or Judge before whom such Issue or Issues is or are to be tried by the Sheriff or other Officer returning the Jurors, and shall, by Direction and Care of such Clerk, be put together in a Box to be provided for that Purpose, and when any Issue shall be brought on to be tried such Clerk shall in open Court draw out Twelve of the said Cards, one after another, after having shaken them together, or, in any Case where a View shall have been directed and had according to Law, so many as, together with the Viewers who shall appear and be sworn, shall be sufficient to make up the Number of Twelve; and if any of the Men whose Names shall be so drawn shall not appear, or shall be challenged and set aside, then a further Number until Twelve Men, or such other Number as, together with such Viewers so appearing and sworn as aforesaid, shall make up the Number of Twelve, be drawn, who shall appear, and who, after all just Causes of Challenge allowed, shall remain as fair and indifferent; and the said Twelve Men, their Names being marked in the Pannel, and they being sworn, shall be the Jury to try the Issue, and the Names of the Men so drawn and sworn shall be kept apart by themselves until such Jury shall have given in their Verdict and the same shall be recorded, or until such Jury shall, by the Consent of the Parties or by Leave of the Court, be discharged, and then the same Names shall be returned to the Box, there to be kept with the other Names remaining at that Time undrawn, and so toties quoties as long as any Issue remains to be tried: Provided always, that if any Issue shall be brought on to be tried in any of the said Courts before the Jury in any other Issue shall have brought in their Verdict or been discharged, it shall be lawful for the Court to order Twelve of the Residue of the said Cards, not containing the Names of any of the Jurors who shall not have so brought in their Verdict or been discharged, to be drawn in such Manner as aforesaid, for the Trial of the Issue which shall be so brought on to be tried: Provided also, that, where both Parties shall consent thereto, it shall be lawful for the Court to try any Issue with the same Jury that shall have previously tried or been drawn to try any other Issue, without their Names being returned to the Box and redrawn, or to order the Name or Names of any Man or Men on such Jury whom both Parties may desire to withdraw, or who may be justly challenged or excused by the Court, to be set aside, and another Name or other Names to be drawn

16 & 17 Vict. c. 113. s. 116.

3 & 4 W. 4. c. 91. s. 26.

drawn from the Box, and to try the Issue with the Residue of such original Jury, and with such Man or Men whose Name or Names shall be so drawn, and who shall appear and be approved and sworn as indifferent, and so toties quoties as long as any Issue remains to be tried.

Name not being on Jurors Book good Ground of Challenge. 3 & 4 W. 4. c. 91. s. 21.

29. The Fact that the Name of any Man returned as a Common or Special Juror is not on the Jurors Book or Special Jurors Book respectively shall be a good Cause of Challenge to any Man so returned before any Court, and any such Man shall be discharged upon such Challenge, if the Court shall be satisfied of the Fact upon the Production of the Jurors Book or Special Jurors Books respectively, or by such other Evidence as the said Court shall deem sufficient, but it shall lie upon the Person challenging to prove the Fact; and the Production of the Jurors Book and Special Jurors Book respectively, duly certified and signed as aforesaid, shall be conclusive Evidence, as against all Parties to any Issue or Issues, Civil or Criminal, triable in any of Her Majesty's Courts, and to be tried by any Jurors whose Names shall have been returned out of any such Jurors Book or Special Jurors Book, that such Books respectively have been duly prepared in accordance with this Act; and the Fact that the Name of any Man returned as a Common or Special Juror respectively out of any Jurors Book or Special Jurors Book respectively is on such Book shall be conclusive Evidence as against the like Parties that such Man is duly qualified as a Common or Special Juror, as the Case may be, unless it shall be proved that such Man is disqualified under the Eighth Section of this Act; and the Fact that any Man returned as a Common or Special Juror as aforesaid answers to his Name when called shall be conclusive Evidence, as against the like Parties, that such Man is sufficiently and truly described upon the Jurors Book, Special Jurors Book, and Pannel, and has been duly summoned, unless it shall be proved to the Satisfaction of the Court that the Person answering is not the Person whose Name is contained in the Jurors Book or Special Jurors Book, and returned upon the Pannel, and no Challenge shall be taken to the Array of any Pannel for Want of a Knight's being returned therein.

Costs of Special Jury. 3 & 4 W. 4. c. 91. s. 27.

30. The Party who shall apply for a Special Jury in any Case whatsoever, whether Civil or Criminal, shall pay the Fees for striking such Jury, and all the Expenses occasioned by the Trial of the Cause by the same, and shall not have any further or other Allowance for the same upon Taxation of Costs than such Party would be entitled to in case the Cause had been tried by a Common Jury, unless the Judge before whom the Cause is tried shall, immediately

diately after the Trial, certify under his Hand, upon the Back of the Record, that the same was a Cause proper to be tried by a Special Jury; and this Section and everything therein contained shall apply to Cases in which the Plaintiff shall be nonsuited as well as to Cases in which a Verdict shall pass against him.

4 & 5 Vict. c. 105. s. 60.

Tales de Circumstantibus.
3 & 4 W. 4. c. 91. s. 28.

31. Where a full Jury shall not appear before any Court in any Criminal Prosecution properly triable in such Court, or in any Suit or Action, or where, after Appearance of a full Jury, by Challenge of any of the Parties, or Excuse upon sufficient Ground by the Court, the Inquest is likely to remain untaken for Default of Jurors, every such Court, upon Request made for the Queen by any One thereto authorized or assigned by the Court, in any Criminal Case (except only Indictments for Treason or Felony), or on Request made by the Parties, Plaintiff or Demandant, Defendant or Tenant, or their respective Attorneys, in any Action or Suit, shall command the Sheriff or other Officer to whom the Return of Jurors shall belong, to name and appoint, as often as Need shall require, Twelve other good and lawful Men of the County then present, or who can be found to serve on such Jury; and such Sheriff or other Officer shall, at such Command of the Court, return Twelve such Men duly qualified according to this Act, who shall be present or can be found to serve on such Jury, and shall add and annex their Names to the former Panel: Provided that where a Special Jury shall have been struck for the Trial of any Issue, the Talesmen shall be such as shall be impannelled upon the Common Jury Panel to serve at the same Court, if a sufficient Number of such Men can be found; and the Names of the Persons so to be named, with their Places of Abode and Additions, shall be written on several distinct Pieces of Card, being all as nearly as may be of an equal Size, and shall be delivered to the Clerk of the Court or Judge before whom such Issue is to be tried, by such Sheriff or other Officer, and shall by the Direction and Care of such Clerk be put together in a Box and shaken together, and shall be drawn out one after another until a Number shall appear which shall be sufficient, with those of the original Panel who appear, to make up the Number of Twelve, who shall be the Jury to try the Issue; and the Queen, by any one so authorized or assigned as aforesaid, and all and every the Parties aforesaid shall and may in each of the Cases aforesaid respectively have their respective Challenges to the Jurors so newly added and annexed, and the Court shall proceed to the Trial of every such Issue with those Jurors who were before impannelled together with the Talesmen so newly added and annexed, as if all the said Jurors had been returned upon the Pannel originally returned to try the Issue.

32. That

Power to send Juries to the adjoining County for the Night.

32. Where any Jury shall be impannelled and sworn to try any Issue of Treason or Felony in the Court-house of any County, which Court-house shall be situate within or shall adjoin a different County, if it shall become necessary to keep such Jury together for any Night or Nights, it shall be lawful for the Court to direct that such Jury shall be taken for the Night to any convenient Place to be named by the Court within such surrounding or adjoining County, and such Jury, in going to, remaining at, and returning from such Place shall be kept in the like Custody and treated in all respects in the same Manner, and all Officers intrusted with the Duty of keeping such Jury together shall have the same Powers, as if such surrounding or adjoining County formed Part of the County to which such Court-house shall belong.

Sheriff indemnified for returning Names contained in Jurors Book. 3 & 4 W. 4. c. 91. s. 33.

Fines imposed on Sheriffs and other Officers for Misconduct.

33. Every Sheriff and other Officer to whom the Return of Jurors shall belong shall be and is hereby indemnified for impannelling and returning any Man named in the Jurors Book or Special Jurors Book, although he may not be qualified or liable to serve on Juries; and if any such Sheriff or other Officer shall wilfully impannel and return any Man to serve on any Jury before any of the Courts herein-before mentioned (except on the Grand Jury at any Assizes or Sessions), such Man's Name not being inserted in the Jurors Book or Special Jurors Book for the current Year, or, if such Book has not been delivered, then in the Book last delivered, or if any Sheriff or other Officer shall in obedience to any Precept (except a Precept issued under a Special Commission of Oyer and Terminer or General Gaol Delivery) wilfully and without sufficient Excuse impannel and return any Man who shall have served as a Juror more recently than any other Man not impannelled or returned, or if any Officer of any of the Courts in this Act mentioned shall wilfully record the Appearance of any Man so summoned and returned who did not really appear, in every such Case the Court may, upon Examination in a Summary Way, set such Fine upon such Officer offending as the Court shall think meet.

No Money to be taken by any Officer to excuse Persons from serving. 3 & 4 W. 4. c. 91. s. 34.

None to be summoned but those named in the Warrant.

34. No Sheriff, Under Sheriff, Coroner, Elisor, Bailiff, or other Officer or Person whomsoever shall directly or indirectly take or receive any Money or other Reward, or Promise of Money or Reward, or any Consideration whatsoever, or the Promise of any Consideration, to excuse any Man from serving or from being summoned to serve on any Jury, or under any such Colour or Pretence; and no Bailiff or other Officer appointed to summon Juries shall summon any Man to serve thereon other than those whose Names are specified in a Warrant or Mandate signed by the Sheriff or other Officer to whom the Return of Jurors shall

Penalties for Neglect or Misconduct.

belong, and directed to such Bailiff or other Officer; and if any Sheriff, Under Sheriff, Coroner, Elisor, Bailiff, or other Officer shall wilfully transgress in any of the Cases aforesaid, or shall neglect to summon any Juror, or shall summon any Juror less than Four Days before the First Day on which he is to attend, except in the Cases herein-before excepted, the Court within whose Jurisdiction the Offence shall have been committed may and is hereby required, on Examination, and Proof of such Offence, in a Summary Way, to set such a Fine upon every Person so offending as the Court shall think meet according to the Nature of the Offence, and to award such Term of Imprisonment not exceeding *Three Months*, in default of paying such Fine, as the Court shall think meet.

Penalties for Neglect to prepare Lists, &c. 3 & 4 W. 4. c. 91. s. 35.

35. If any Clerk of a Poor Law Union, or any Collector General of Rates for the City of Dublin, shall refuse or neglect (unless prevented by Sickness) to prepare or assist in preparing any List required by this Act, so that the same shall not be made out at the Time and in the Manner herein-before directed, or shall wilfully omit out of such List the Name of any Man whose Name ought to be inserted therein, or shall wilfully insert therein the Name of any Man whose Name ought to be omitted therefrom, or shall take any Money or Reward, or Promise of Money or Reward, or other Consideration, for omitting or inserting any Name whatsoever, or shall wilfully insert therein a wrong Description of the Name, Place of Abode, Title, Quality, Calling, or Business, or of the Nature or Amount of the Qualification of any Man, or shall refuse or wilfully neglect, in case the Number of Forms of Returns delivered by the Clerk of the Peace shall be insufficient, to apply to the Clerk of the Peace for a sufficient Number, so that the said Lists may be made out at the Time and in the Manner herein-before directed, or shall refuse to allow any Inhabitant of the District of such Clerk or Collector General to inspect such List, or a true Copy thereof, gratis, at any reasonable Time, or shall on due Notice refuse or wilfully neglect to produce such List before any such Court as aforesaid, or to answer on Oath such Questions touching the same as shall there be put, or to attend before such Court as aforesaid, every such Person offending in any of the foregoing Cases shall for every such Offence forfeit a Sum not exceeding *Fifty Pounds* nor less than *Forty Shillings*, at the Discretion of the Court or Judge before whom he shall be convicted, and the Court or Judge before whom such Offender shall be convicted of any such Offence of wrongful Insertion or Omission shall forthwith, in Writing under his Hand, certify the same to the Clerk of the Peace of the County, City, or Town in which the Man or Men whose Name or Names shall have been so wrongfully omitted or inserted shall

shall reside, and the said Clerk of the Peace shall cause the List in which such wrongful Insertion or Omission shall have occurred to be corrected according to such Certificate, and shall also give Notice thereof to the Sheriff, who shall correct the Jurors Book accordingly.

Penalties on Clerks of Peace, Sheriffs, &c. for Neglect. 3 & 4 W. 4. c. 91. s. 36.

36. If any Clerk of the Peace shall refuse or wilfully neglect to cause a sufficient Number either of Precepts or Forms of Return to be printed in the Manner herein-before directed, or shall refuse or wilfully neglect to issue and deliver to any Clerk of a Poor Law Union or Collector General within the Meaning of this Act the Precepts as herein-before directed, or to annex to the same such a Number of the Forms of Return as he shall bonâ fide deem sufficient, or to deliver to any Clerk of a Poor Law Union or Collector General such additional Number thereof as he may apply for, within Three Days after such Application, or shall refuse or wilfully neglect to provide or prepare a General List of Jurors and List of Special Jurors, and a Jurors Book and Special Jurors Book, within the Time and in the Manner and Form herein-before prescribed, or to deliver the same to the Sheriff or Under Sheriff within the Time herein-before prescribed, or to give Notice to the Sheriff or Under Sheriff of any wrongful Insertion or Omission certified to to him by any Court or Judge as aforesaid, or if any Clerk of the Peace, Sheriff, or Under Sheriff shall make or cause to be made any Alteration whatsoever in the List of Jurors, or in the List of Special Jurors, or Jurors Book, or Special Jurors Book, except in the Cases herein-before provided for, or shall wilfully write or cause to be written in any such List or Book the Name of any Person not qualified to appear therein, or shall wilfully omit thereout the Name of any Person duly qualified to appear therein, or shall neglect or refuse to write or cause to be written the several Names contained in any such Book, upon distinct Pieces of Card, in the Manner and within the Time herein-before prescribed, or shall subtract or destroy, or by any Default or Neglect lose any of the said Pieces of Card, or shall wilfully neglect or refuse upon Discovery of such Loss to supply the same within Five Days, or if any Sheriff or Under Sheriff shall refuse or wilfully neglect within Ten Days after the next succeeding Sheriff or Under Sheriff shall have entered upon Office, to deliver over to him as well all the Jurors Books and Special Jurors Books which shall be made or prepared in the Year of his Sheriffalty, as also such other like Books as were prepared in the Sheriffalty of any of his Predecessors within Four Years then next preceding, and which were delivered over to him by any of his Predecessors, every such Clerk of the Peace, Sheriff, or Under Sheriff offending in any of the said Cases shall for every such Offence forfeit the Sum of *One hundred Pounds*, one Moiety

whereof shall be to the Use of Her Majesty, Her Heirs or Successors, and the other Moiety, with full Costs, to any Person who shall sue for the same by a personal Action in any of Her Majesty's Courts of Record at Dublin.

Qualification of Jurors on Writs of Inquiries, &c.
3 & 4 W. 4. c. 91. s. 40.

37. No Man shall be summoned or impannelled to serve as a Juror in any County in Ireland upon any Inquest or Inquiry to be taken or made by or before any Sheriff or Coroner by virtue of any Writ of Inquiry, or by or before any Commissioner or Commissioners appointed under the Great Seal or the Seal of the Court of Exchequer, or by or before any Justice or other Officer of any of Her Majesty's Superior Courts, who shall not be duly qualified, according to this Act, to serve as a Juror upon Trials at Nisi Prius in such County: Provided always, that nothing herein contained shall extend to any Inquest of the Death of any Person to be taken by or before any Coroner by virtue of his Office, or to any Inquest or Inquiry to be taken or made by or before any Sheriff or Coroner of any Liberty, Franchise, City, Borough, or Town Corporate, not being a County, but that the Sheriffs and Coroners in all such Cases to which this Act doth not extend as aforesaid shall and may respectively take and make all Inquests and Inquiries by Jurors of the same Description as they have been used and accustomed to do before the passing of this Act.

This Act not to extend to Coroners Inquests.

Sheriffs and other Officers empowered to fine Jurors.
3 & 4 W. 4. c. 91. s. 41.

38. If any Man having been duly summoned and returned to serve as a Juror in any County in Ireland upon any Inquest or Inquiry before any Sheriff or Coroner by virtue of any Writ of Inquiry, or before any of the Commissioners or Masters aforesaid, shall not, after being openly called Three Times, appear and serve such Juror, every such Sheriff, or in his Absence the Under Sheriff, and every such Coroner, Commissioner, and Master respectively, is hereby authorized and required, unless some reasonable Excuse shall be proved on Oath or Affidavit, in a Summary Way to impose such Fine upon every Man so making default as he shall respectively think fit, not exceeding *Five Pounds;* and every such Sheriff, Under Sheriff, Coroner, Commissioner, and Master respectively shall make out and sign a Certificate containing the Christian Name and Surname, the Residence and Trade or Calling of every Man so making default, together with the Amount of the Fine imposed, and the Cause of such Fine, and shall transmit such Certificate to the Clerk of the Peace or Town Clerk for the Place in which every such Defaulter shall reside, on or before the First Day of the Quarter Sessions next ensuing; and every such Clerk of the Peace and Town Clerk is hereby required to copy the Fines so certified on the Roll on which all Fines and Forfeitures imposed at such

such Quarter Sessions shall be copied, and the same shall be estreated, levied, and applied in like Manner, and subject to the like Powers, Provisions, and Penalties in all respects as if they had been Part of the Fines imposed at such Quarter Sessions.

Embracery and corrupt Jurors punishable. 3 & 4 W. 4. c. 91. s. 98.

39. Notwithstanding anything herein contained, every Person who shall be guilty of the Offence of Embracery, and every Juror who shall wilfully or corruptly consent thereto, shall and may be respectively proceeded against by Indictment or Information, and be punished by Fine and Imprisonment in like Manner as every such Person and Juror might have been before the passing of this Act.

Fines to be levied as provided by "Fines Act (Ireland), 1851."

40. All Fines and Penalties incurred or imposed under this Act by any Court shall be levied and recovered and applied as by "The Fines Act (Ireland), 1851," is provided.

Commencement of Act.

41. The Parts of this Act relating to the Preparation of Lists of Jurors and Lists of Special Jurors, and the Formation of Jurors Books and Special Jurors Books, and the Delivery thereof to the Sheriffs, shall commence and take effect as soon after the *Thirtieth Day of June* next after the passing of this Act as the proper Periods for doing those Things shall occur, and the rest of this Act shall commence and take effect on the *First Day of Hiliary Term next after the said Thirtieth Day of June.*

JurorsBooks in use to be continued until new Books prepared.

42. The Jurors Books and Special Jurors Books in use in the several Counties in Ireland at the passing of this Act shall continue to be used until new Jurors Books and Special Jurors Books for the said several Counties respectively shall have been duly prepared and shall come into Use in pursuance of the Provisions of this Act.

SCHEDULES to which the foregoing Act refers.

FIRST SCHEDULE.

ACTS and PARTS of ACTS to be REPEALED, so far as in the foregoing ACT is declared.

Date of Act.	Title of Act.	Extent of Repeal.
No. 1. An Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of King William the Fourth, Chapter Ninety-one.	No. 1. "An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland."	No. 1. The entire Act, except Sections XVI., XVII., XXI., XXIX., XXX., XXXI., XLVII., and L.
No. 2. An Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of King William the Fourth, Chapter Eight.	No. 2. "An Act to amend an Act passed in the last Session, for consolidating and amending the Laws relating to Jurors and Juries in Ireland."	No. 2. The entire Act.
No. 3. An Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Queen Victoria, Chapter Forty-eight.	No. 3. "An Act to amend Two Acts, of the Third and Fourth and Fourth and Fifth Years of His late Majesty King William the Fourth, for consolidating and amending the Laws relative to Jurors and Juries in Ireland."	No. 3. The entire Act.
No. 4. An Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Queen Victoria, Chapter One hundred and five.	No. 4. "An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases; for extending the Remedies of Creditors against the Property of Debtors; and for the further Amendment of the Law and the better Advancement of Justice in Ireland."	No. 4. Section LX.
No. 5. An Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Queen Victoria, Chapter One hundred and eight.	No. 5. "An Act for the Regulation of Municipal Corporations in Ireland."	No. 5. Section CLXXX.
No. 6. An Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Queen Victoria, Chapter Sixty-seven.	No. 6. "An Act for making further Regulations for more effectually securing the Correctness of the Jurors Books in Ireland."	No. 6. The entire Act.
No. 7. An Act passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of the Reign of Queen Victoria, Chapter Ninety-one.	No. 7. "An Act to provide for the Collection of Rates in the City of Dublin."	No. 7. Section LXXXVII.

SECOND

SECOND SCHEDULE.

Form A.

Precept for the Return of Lists of Jurors.

County of , *or* County of the City of , *or* County of the Town of]. To the Clerk of the Poor Law Union of in the said County [City *or* Town].

You are hereby required, on or before the First Day of August in this present Year, to prepare a complete and true List in Writing, according to the Form sent herewith, of the Names of all Men rated for the Relief of the Poor within the said Union of who are qualified and liable to serve as Jurors for the said County [City *or* Town] of ; that is to say, a complete and true List, containing the Name of every Man who resides within the said County [City *or* Town], or who has or uses, for the Purposes of any Trade or Business, any House, Office, Shop, Store, or Place of Business within the said County [City *or* Town], who is either in his own Name, or as a Member of a Firm or Copartnership, rated in the last Rate made in the said Union for the Relief of the Poor in respect of any Lands, Tenement, or Hereditaments within the said Union, and within the said County, of the net annual Value of *Thirty Pounds* or upwards; and you are required to prepare the said List, in Alphabetical Order of Surnames, and to write the Christian Name or Names and Surname of every Man at full Length, with his true or last known Place of Abode, and the Place of his rated Property, his Title, Quality, Calling, or Business, and the annual Value of his rated Property in the proper Columns of the Forms sent herewith; and if you have not a sufficient Number of Form you must apply to me for more and in preparing the said List you are to omit the Names of all Persons above the Age of Sixty Years; all Peers and Privy Councillors; all Judges of the Queen's Courts of Record; all Members of Parliament; all Sergeants and Barristers-at-Law actually practising or holding any Place or Office of Emolument under the Crown, and actually performing the Duties thereof; all Proctors, Attorneys, and Solicitors actually practising, and having duly taken out annual Certificates actually in force; all Officers of any of the Queen's Courts or of any Ecclesiastical Court, actually performing the Duties of their respective Offices; all Recorders, resident Stipendiary Magistrates, Coroners, Gaolers, and Keepers of Houses of Correction, actually performing the Duties of their respective Offices; all Poor Law Inspectors and Sub-Inspectors, Inspectors and Sub-Inspectors of National Schools, Prisons, and Factories; all Medical and Surgical Practitioners duly registered and actually practising; all Apothecaries

actually carrying on Business, and duly certified by the Court of Examiners of the Governor and Company of the Apothecaries Hall of the City of Dublin or of the City of London; all Officers of Her Majesty's Navy or Army on Full Pay or on active Service; all Persons employed or acting in the Service of the Police, Constabulary, Customs, Excise, or Post Office; all Sheriffs, Under Sheriffs, and Sheriffs Officers; all Town Clerks, Parish Clerks, and Clerks of Petty Sessions, and their respective Deputies; all County Surveyors, County Treasurers and Secretaries to Grand Juries, and their respective Deputies, Clerks, and Assistants; all Notaries Public, and Commissioners for taking Affidavits for any of the Superior Courts of Law or Equity; all Masters of Vessels and duly licensed Pilots; all Publicans, and Persons licensed to sell Spirits by Retail to be consumed on the Premises; and also all Persons heretofore exempted by virtue of any Prescription, Charter, Grant, Writ, or Local or Personal Act of Parliament; and also all Infants under the Age of Twenty-one Years; all Persons not being natural-born Subjects of the Queen; all Persons attainted of Treason or Felony, or convicted of any Crime that is infamous (unless having obtained a free Pardon), or having, at any Time within Five Years, undergone Punishment by Imprisonment for any Criminal Offence; all Bankrupts not having obtained their Certificates; and all Insolvent Debtors; and when you shall have made out such List you are required to cause a sufficient Number of Copies thereof to be printed, the Expense of which Printing will be allowed you by the County; and you are required, on or before the First Day of August in the present Year, to deliver a true Copy of such List, signed by you at the Foot thereof, and certified by you under your Hand to be a true and complete List of all Persons within the said Union who are qualified and liable to serve as Jurors for the said County, to the Clerk of the Peace of the said County [City *or* Town], and to attend the Chairman, Recorder, or Revising Barrister of the said County [City *or* Town] at any Court to be held for the Examination of the said List, of the Time and Place of holding which you shall be previously informed, and there to answer on Oath such Questions as shall be put to you by such Chairman, Recorder, or Barrister then present touching the said List; and these several Matters you are in no wise to omit, upon the Peril that may ensue.

Given under my Hand, at in the said County [City *or* Town], this Day of in the Year

Clerk of the Peace for the said County [City *or* Town] of

FORM

FORM B.

"The CLERK of the UNIONS LIST of PERSONS QUALIFIED as RATED OCCUPIERS
"to serve as JURORS for the COUNTY [CITY *or* TOWN] of _____
"during the Year_____."
POOR LAW UNION OF _____

Consecutive Numbers.	Surnames in Alphabetical Order.	Christian Names.	Places of Abode.	Title, Quality, Calling, or Business.	Annual rated Value of Property.	Place of rated Property.

FORM C.

"The CLERK of the PEACE'S LIST of PERSONS QUALIFIED as FREEHOLDERS,
"COPYHOLDERS, or LEASEHOLDERS to serve as JURORS for the COUNTY [CITY
"*or* TOWN] of _____ during the Year_____."

Consecutive Numbers.	Surnames in Alphabetical Order.	Christian Names.	Places of Abode.	Title, Quality, Calling, or Business.	Annual Value of Property as appearing in Register of Parliamentary Voters.	Nature of Property, whether Freehold, Copyhold, or Leasehold.	Place of Property.

FORM D.

GENERAL LIST OF JURORS
LIST OF SPECIAL JURORS
JURORS BOOK
SPECIAL JURORS BOOK
} [*as the Case may be*] for the COUNTY, *or* COUNTY of the CITY, *or* COUNTY of the TOWN [*as the Case may be*] of _____ for the Year_____.

Consecutive Numbers.	Surnames in Alphabetical Order.	Christian Names.	Place of Abode.	Title, Quality, Calling, or Business.	Annual Value of Property.	Nature of Qualification, Freeholder, Copyholder, Leaseholder, or rated Occupier.	Place of Property.

Petit Juries (Ireland).

A

BILL

To consolidate and amend the Laws relating to Petit Juries in Ireland.

(*Prepared and brought in by Mr. Attorney General for Ireland and Mr. Solicitor General for Ireland.*)

Ordered, by The House of Commons, *to be Printed*, 26 *February* 1866.

[Bill 41.]

Under 4 *oz.*

Pier and Harbour Orders Confirmation Bill.

ARRANGEMENT OF CLAUSES.

CLAUSES.

1. Confirmation of Orders in Schedule.
2. Short Title.

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A

BILL

FOR

Confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Ardglass, Blackpool (South), Cowes (West), Dawlish, Dunoon, Foryd, Hopeman, Hornsea, Llandudno, Penzance, Plymouth (Hoe), Redcar, and Scarborough.

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: Preamble. 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act, and set out in the Schedule to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The several Orders set out in the Schedule to this Act shall be and the same are hereby confirmed, and all the Provisions thereof in Confirmation of Orders in Schedule.

in Manner and Form as they are set out in the said Schedule shall, from and after the *passing of this Act*, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1866.

The SCHEDULE of Orders.

1. ARDGLASS.—Amendment of Order.
2. BLACKPOOL (South).—Construction of a Pier.
3. COWES (West).—Construction of a Pier.
4. DAWLISH.—Construction of a Pier.
5. DUNOON.—Construction of a Pier.
6. FORYD.—Construction of a Pier.
7. HOPEMAN.—Improvement of Harbour.
8. HORNSEA.—Construction of a Pier.
9. LLANDUDNO.—Construction of a Pier.
10. PENZANCE.—Construction of a Pier.
11. PLYMOUTH (Hoe).—Construction of a Pier.
12. REDCAR.—Construction of a Pier.
13. SCARBOROUGH.—Construction of a Pier.

ARDGLASS.

Order for the Amendment of The Ardglass Harbour Order, 1864, and for the Improvement, Maintenance, and Regulation of the Harbour at Ardglass, in the County of Down.

Ardglass.

1. The following clauses of The Ardglass Harbour Order, 1864, in this Order called the Order of 1864, namely, clauses 1 to 18 (both inclusive), 21, and 22, shall be deemed to be expunged therefrom. Amendment of Ardglass Harbour Order, 1864.

2. Aubrey de Vere Beauclerk, of Ardglass Castle in the County of Down, Esquire, his heirs and assigns, or other his successors in estate, shall be the undertakers of the works authorized by this Order. Undertakers.

3. For the purposes of the works authorized by this Order, the undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

4. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order. Lands Clauses Acts incorporated.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the Works in order to prevent injury to navigation, the Undertakers may, in or at the said harbour, and in the lines and on the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the works shown on the deposited plans. Power to make works.

6. The works authorized by this Order comprise the following: Description of works.

The repairing and rebuilding of the pier or quay for a length of 110 feet from the present quay:

The rebuilding and extension of the pier or quay for a further length of 100 feet seawards, and the erection of a beacon on the end of the same:

The deepening of portions of the harbour.

7. The right of the Undertakers to demand and receive rates shall commence from and after the repairing and rebuilding of the pier or quay for a length of 110 feet from the present quay, whether the remaining part of the works authorized by this Order is completed or not, and not sooner; of which repairing and rebuilding a certificate signed by the Chairman of the Quarter Sessions having jurisdiction at the port of Ardglass shall be conclusive evidence, which certificate such Chairman shall give on being satisfied of such repairing and rebuilding. Commencement of rates.

Ardglass.

Application of Rates.

8. The rates received under this Order shall be applicable for the purposes and in the order following:

(1.) In paying the expenses of and connected with the applying for, obtaining, and making of this Order.

(2.) In paying the expenses of the maintenance, management, and regulation of the existing harbour and works, and of the works authorized by this Order.

(3.) And as to the surplus revenue of the harbour, that is to say, so much of the rates as remains after answering the purposes aforesaid, the same shall be applicable by the Undertakers to and for their own proper use and benefit.

Pilotage, &c.

9. The Undertakers shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities.

Incorporation of Order of 1864.

10. The provisions of the Order of 1864 (save the clauses in this Order specified as expunged therefrom) shall remain in full force, and shall be read together with this Order as one Order, the Undertakers being substituted for the Company.

Short Title.

11. This Order may be cited as The Ardglass Harbour Order, 1866, and this Order and the Order of 1864 may be cited together as The Ardglass Harbour Orders, 1864 and 1866.

Blackpool (South).

BLACKPOOL (SOUTH).

Order for the Construction, Maintenance, and Regulation of a Pier at Blackpool, in the County Palatine of Lancaster.

The undertakers.

1. The South Blackpool Jetty Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, (except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement,) are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans, as the Board of Trade require from time to time, before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

5. The

5. The works authorized by this Order comprise the following: *Blackpool (South).*

A promenade pier, jetty, and landing place commencing at a point on the shore near the Wellington Hotel, and opposite Chapel Street, in Blackpool, in the township of Layton-with-Warbrick, and parish of Bispham, in the County Palatine of Lancaster, and extending thence into the sea in a westerly direction a distance of one thousand six hundred feet or thereabouts; Description of pier.

and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule to this Order any sums not exceeding the rates in that Schedule specified. Rates according to Schedule.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order. Certain fishing vessels under stress of weather exempt from rates.

8. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act). Company may contract with persons for the use of the pier.

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment. Custom-house officers exempt from rates.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres. Lands for extraordinary purposes.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier. Meters and weighers.

12. The following Sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, Sections 16 to 19 and 21 to 23, all inclusive. Parts of Harbours, &c. Act, 1847, excepted.

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

14. Part V. of the Harbours and Passing Tolls, &c., Act, 1861, shall apply to the works authorized by this Order. Part V. of 24 & 25 Vict. c. 47. to apply.

Blackpool (South.)

Restriction on use of pier.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier or jetty authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company, might in any manner interfere with the use of the pier or jetty for recreation, or for the embarking or landing of passengers.

16. This Order may be cited as The South Blackpool Jetty Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding	0	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding	0	0	2
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding	0	0	6
For every perambulator taken on the pier or jetty, for each time, any sum not exceeding	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Blackpool, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

II.—Rates on Passengers Luggage shipped or landed at the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs.	0	0	2
For every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons, per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton	0	1	0
For every lighter, for each trip, per ton	0	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	0	6

COWES (WEST).

Order for the Construction, Maintenance, and Regulation of a Pier at West Cowes in the Isle of Wight and County of Southampton.

Cowes (West).

The undertakers.

1. The West Cowes Pier Company (Limited), in this Order called the Company, shall be the Undertakers of the Works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the Works authorized by this Order, the Company may from time to time by agreement enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed Works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels, and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the Works shown on the deposited plans.

Description of pier.

5. The Works authorized by this Order comprise the following:—

The construction of a pier commencing at or near a point at the back of Gloucester House in High Street, West Cowes, in the Parish of Northwood, in the Isle of Wight and County of Southampton, and extending thence into the sea, in a north-easterly direction, for a distance of 350 feet or thereabouts, but not beyond low-water mark at ordinary spring tides:

with a landing place and all necessary works, approaches, and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

Pier to be open.

6. The pier shall be constructed and maintained of open timber or iron work, and shall not be at any time solidified to any extent, except with the previous approval in writing of the Board of Trade.

Vessels not to be moored at pier.

7. Vessels or boats shall not be allowed to be moored alongside of the pier or to remain there longer than is necessary for landing or embarking passengers or goods.

Power to take rates according to Schedule to this Order.

8. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule hereto, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

9. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier autho-

Cowes (West).

rized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

10. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom House Officers exempt from rates.

11. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier, by land and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

12. The Company shall not purchase, for extraordinary purposes, land exceeding in extent in the whole three acres.

Meters and weighers.

13. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

14. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, and twenty-one to twenty-three, all inclusive.

Steam engines, diving bells, lighters, &c.

15. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

16. Part V. of The Harbours and Passing Tolls, &c., Act, 1861, shall apply to the Works authorized by this Order.

Restriction on use of pier.

17. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers.

Saving for Local Board.

18. Nothing in this Order shall take away, abridge, or prejudicially affect any right, power, authority, or privilege vested in, exercised, or enjoyed by the Local Board of Health for the town of West Cowes as the Commissioners for executing such parts of the Local Act of the Fifty-sixth year of the reign of King George the Third, Chapter Twenty-five, as remain unrepealed.

Short title.

19. This Order may be cited as The West Cowes Pier Order, 1866.

SCHEDULE

SCHEDULE to which the foregoing ORDER refers.

Cowes (West).

I.—Rates on Vessels using the Pier.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

	s.	d.
Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per tun of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package not exceeding cwt	0	6
Carriages:—		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0

		s.	d.
Cowes (West).	Cordage, per cwt.	0	3
	Cork, per cwt.	0	6
	Corpses, each	20	0
	Crystal, per box or package	0	6
	Dogs, each	0	6
	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
	Eggs, per box	0	3
	Fish (dried and salted), per cwt.	0	3
	Ditto, fresh (not enumerated), per cwt.	0	2
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
	Ditto, per barrel	0	3
	Fruit, per bushel or sieve	0	4
	Furniture (household), per 5 cubic feet	0	4
	Glass, per large crate	1	6
	Ditto, per small crate or case	1	0
	Ditto, per box	0	6
	Grains and seeds, per quarter	0	6
	Groceries (not enumerated)	0	6
	Guano, per ton	1	6
	Gunpowder, per barrel or keg	0	6
	Hams, bacon, or tongues, per cwt.	0	4
	Hardware, per ton	2	6
	Hares and rabbits, per dozen	0	4
	Hay, per ton	1	6
	Ditto, per truss	0	2
	Hemp, per ton	2	0
	Herrings (fresh), per 1,000	0	3
	Ditto (cured), per barrel	0	3
	Hides :—		
	Ox, cow, or horse (wet or dry), each	0	2
	Iron :—		
	Bar, bolt, rod, and shots, per ton	1	6
	Pig and old, per ton	1	0
	Manufactured, per ton	2	6
	Pots, each	0	1
	Kelp, per ton	2	0
	Lead, per ton	2	6
	Leather, tanned and dressed, per cwt.	0	3
	Lime, per 28 bushels	1	4
	Limestone, per ton	1	0
	Machinery, per ton	2	6
	Manure (not enumerated), per ton	1	0
	Masts and spars, 10 inches in diameter and upwards, each	4	6
	Ditto, under 10 inches	3	0
	Meat (fresh), per cwt.	0	6
	Milk, per gallon	0	0½
	Musical instruments, per cube foot	0	1
	Nets, per 5 cube feet	0	4
	Oakum, per cwt.	0	2
	Oils, per tun	2	0
	Oilcake, per ton	2	0
	Oranges and lemons, per box	0	6
	Ores, per ton	1	0
	Oysters, per bushel	0	3
	Paint, per cwt.	0	4
	Pitch and tar, per barrel	0	6

		s.	*d.*
	Potatoes, per cwt.	0	2
	Poultry and game, per dozen	0	4
	Rags and old rope, per ton	2	0
	Sails, per cwt.	0	6
5	Salt, per cwt.	0	1
	Sand, per ton	1	0
	Shrimp baskets, each	0	2
	Skins:—Calf, goat, sheep, lamb, or dog, per dozen	0	6
	Slates, per ton, of 24 cubic feet	2	0
10	Spirits (Foreign and British), per hogshead	1	0
	Ditto ditto, per gallon	0	1
	Stones, per ton, of 16 cubic feet	1	6
	Steel, per ton	3	0
	Sugar, per cwt.	0	3
15	Tallow, soap, and candles, per cwt.	0	3
	Tea, per chest	1	0
	Tiles, per 1,000	1	6
	Tin and zinc, per ton	3	0
	Tobacco, per cwt.	0	6
20	Turbot, per score	0	3
	Turnips, per ton	0	6
	Turpentine and varnish, per barrel	0	6
	Turtle, each	2	6
	Vegetables (not enumerated), per cwt.	0	4
25	Vinegar, per hogshead	0	6
	Vitriol, per carboy	1	0
	Water, per cask	0	3
	Wine, per hogshead	1	0
	Ditto, bottled, per dozen bottles	0	2
30	Wood:—		
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
	Oak or wainscot, per load of 50 feet	2	0
	Firewood, per 216 cubic feet fathom	1	6
	Laths and lathwood, per fathom of 216 cubic feet	2	6
35	Handspikes, per 120	3	0
	Oars, per 120	5	0
	Spars under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	5	0
	Ditto, $2\frac{1}{2}$ inches in diameter and under, per 120	4	0
40	Ditto, 22 feet in length and upwards, and not exceeding 4 inches diameter, per 120	9	0
	Ditto, above 4 and under 6 inches in diameter, per 120	14	0
	Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
	Ditto, exceeding 2 feet in length, per ton	3	0
45	Trenails, per 1,000	2	6
	Wedges, per 1,000	2	6
	Pipe staves, and others in proportion, per 120	2	6
	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
	Wool, per cwt.	0	4
50	Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	Light goods, per cube foot	0	1
	Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods
55 to be taken, and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

Cowes (West).

III.—Rates for use of Cranes, Weighing Machines, and Sheds.

1st, Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d, Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3d, Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons	10	0

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person landing on the Pier from, or embarking from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding	0	6
For every person using the Pier for the purpose of walking for exercise, pleasure, or any other purpose except for embarking or disembarking, for each time any sum not exceeding	0	4
For every Bath or sedan chair taken on the Pier, for each time any sum not exceeding	0	6
For every perambulator taken on the Pier, for each time any sum not exceeding	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Northwood, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

VI.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

DAWLISH.

Dawlish.

Order for the Construction, Maintenance, and Regulation of a Pier at Dawlish, in the County of Devon.

1. The Dawlish Pier Company (Limited), in this Order called the Company, shall be the undertakers of the Works authorized by this Order. The undertakers.

2. For the purposes of the Works authorized by this Order, the Company may from time to time by agreement enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed Works. Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order. Lands Clauses Acts incorporated.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the Works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the Works shown on the deposited plans. Power to make works.

5. The Works authorized by this Order comprise the following:— Description of pier.

A Pier at Dawlish, in the County of Devon (with a landing-place and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes), commencing at a point on the sea wall distant about 80 feet westward of the western end of the platform of the Dawlish Railway station, and extending from that point into the sea in a southerly direction for a distance of 800 feet or thereabouts, with lateral limits of deviation extending a distance of 5 chains on each side of the proposed Pier, throughout the whole length thereof.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule hereto any sums not exceeding the rates in that Schedule specified. Power to take rates according to Schedule to this Order.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order. Certain fishing vessels under stress of weather exempt from rates.

8. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the Pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by Company may contract with persons for the use of the pier.

Dawlish.

any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom House Officers exempt from rates.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier, by land and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase, for extraordinary purposes, land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the Pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen and twenty-one to twenty-three, all inclusive.

Steam engines, diving bells, lighters, &c.

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Works authorized by this Order.

Restriction on use of pier.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the Pier for recreation, or for the embarking or landing of passengers.

Short title.

16. This Order may be cited as The Dawlish Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats, entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier. *Dawlish.*

		s.	d.
	Ale, beer, and porter, per hogshead	0	6
	Ale (bottled), per barrel	0	4
5	Ditto, per dozen bottles	0	1
	Anchors, per cwt.	0	9
	Anchor stock, per foot run	0	2
	Bark, per ton	2	0
	Bedding, per bundle	0	3
10	Beef or pork, per cwt.	0	3
	Ditto, per barrel	0	6
	Biscuit or bread, per cwt.	0	3
	Blubber, per tun of 252 gallons	3	0
	Bones and bone dust, per ton	1	6
15	Bottles, per gross	0	9
	Bricks, per 1,000	1	6
	Butter and lard, per barrel	0	6
	Ditto, per firkin	0	3
	Cables, iron or hempen, per ton	3	0
20	Canvas, per bolt	0	1
	Casks (empty), not being returned packages, per puncheon	0	3
	Other casks in proportion.		
	Cattle:		
	Bulls, cows, and oxen, each	3	0
25	Calves, each	1	0
	Horses, each	4	0
	Pigs, each	0	6
	Sheep, each	1	0
	Chalk, per ton	1	0
30	Cheese, per cwt.	0	4
	Chimney pots, each	0	3
	Clay, per ton	1	0
	Cloth, haberdashery, &c., per package not exceeding cwt.	0	6
	Carriages:—		
35	Chaises and other four-wheeled carriages, each	7	6
	Gigs, carts, and other two-wheeled carriages, each	5	0
	Hand-carts and perambulators, each	1	0
	Coals, per ton	1	0
	Copper, per ton	3	0
40	Cordage, per cwt.	0	3
	Cork, per cwt.	0	6
	Corpses, each	20	0
	Crystal, per box or package	0	6
	Dogs, each	0	6
45	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
	Eggs, per box	0	3
	Fish (dried and salted), per cwt.	0	3
50	Ditto, fresh (not enumerated), per cwt.	0	2
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
	Ditto, per barrel	0	3
	Fruit, per bushel or sieve	0	4
55	Furniture (household), per 5 cubic feet	0	4
	Glass, per large crate	1	6
	Ditto, per small crate or case	1	0
	Ditto, per box	0	6
	Grains and seeds, per quarter	0	6

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		s.	*d.*	
Groceries (not enumerated)		0	6	
Guano, per ton		1	6	
Gunpowder, per barrel or keg		0	6	
Hams, bacon, or tongues, per cwt.		0	4	5
Hardware, per ton		2	6	
Hares and rabbits, per dozen		0	4	
Hay, per ton		1	6	
Ditto, per truss		0	2	
Hemp, per ton		2	0	10
Herrings (fresh), per 1,000		0	3	
Ditto (cured), per barrel		0	3	
Hides :—				
Ox, cow, or horse (wet or dry), each		0	2	
Iron :—				15
Bar, bolt, rod, and shots, per ton		1	6	
Pig and old, per ton		1	0	
Manufactured, per ton		2	6	
Pots, each		0	1	
Kelp, per ton		2	0	20
Lead, per ton		2	6	
Leather, tanned and dressed, per cwt.		0	3	
Lime, per 28 bushels		1	4	
Limestone, per ton		1	0	
Machinery, per ton		2	6	25
Manure (not enumerated), per ton		1	0	
Masts and spars, 10 inches in diameter and upwards, each		4	6	
Ditto, under 10 inches		3	0	
Meat (fresh), per cwt.		0	6	
Milk, per gallon		0	0½	30
Musical instruments, per cube foot		0	1	
Nets, per 5 cube feet		0	4	
Oakum, per cwt.		0	2	
Oils, per tun		2	0	
Oilcake, per ton		2	0	35
Oranges, and lemons, per box		0	6	
Ores, per ton		1	0	
Oysters, per bushel		0	3	
Paint, per cwt.		0	4	
Pitch and tar, per barrel		0	6	40
Potatoes, per cwt.		0	2	
Poultry and game, per dozen		0	4	
Rags and old rope, per ton		2	0	
Sails, per cwt.		0	6	
Salt, per cwt.		0	1	45
Sand, per ton		1	0	
Shrimp baskets, each		0	2	
Skins :—Calf, goat, sheep, lamb, or dog, per dozen		0	6	
Slates, per ton, of 24 cubic feet		2	0	
Spirits (Foreign and British), per hogshead		1	0	50
Ditto, ditto, per gallon		0	1	
Stones, per ton, of 16 cubic feet		1	6	
Steel, per ton		3	0	
Sugar, per cwt		0	3	
Tallow, soap, and candles, per cwt.		0	3	55
Tea, per chest		1	0	
Tiles, per 1,000		1	6	
Tin and zinc, per ton		3	0	
Tobacco, per cwt.		0	6	

		s.	d.	
	Turbot, per score	0	3	*Dawlish.*
	Turnips, per ton	0	6	
	Turpentine and varnish, per barrel	0	6	
	Turtle, each	2	6	
5	Vegetables (not enumerated), per cwt.	0	4	
	Vinegar, per hogshead	0	6	
	Vitriol, per carboy	1	0	
	Water, per cask	0	3	
	Wine, per hogshead	1	0	
10	Ditto, bottled, per dozen bottles	0	2	
	Wood :—			
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6	
	Oak or wainscot, per load of 50 feet	2	0	
15	Firewood, per 216 cubic feet fathom	1	6	
	Laths and lathwood, per fathom of 216 cubic feet	2	6	
	Handspikes, per 120	3	0	
	Oars, per 120	5	0	
	Spars, under 22 feet in length, above 2½ and under 4 inches in			
20	diameter, per 120	5	0	
	Ditto, 2½ inches in diameter and under, per 120	4	0	
	Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0	
	Ditto, above 4 and under 6 inches in diameter, per 120	14	0	
25	Spokes of wheels, not exceeding 2 feet in length, per 120	2	0	
	Ditto, exceeding 2 feet in length, per 120	3	0	
	Trenails, per 1,000	2	6	
	Wedges, per 1,000	2	6	
	Pipe staves, and others in proportion, per 120	2	6	
30	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0	
	Wool, per cwt.	0	4	
	Yarn, per cwt.	0	2	

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	Light goods, per cube foot	0	1
35	Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

40 *1st, Rates of Craneage.*

		s.	d.
	All goods or packages not exceeding 1 ton	0	4
	Exceeding 1 ton and not exceeding 2 tons	0	6
	„ 2 tons „ 3 tons	0	8
45	„ 3 tons „ 4 tons	0	10
	„ 4 tons „ 5 tons	1	0
	„ 5 tons „ 6 tons	1	2
	„ 6 tons „ 7 tons	1	4
	„ 7 tons „ 8 tons	1	6
50	„ 8 tons „ 9 tons	1	10
	„ 9 tons „ 10 tons	2	4
	„ 10 tons	3	6

Dawlish.

	s.	d.
2d, Weighing Machines.		
For goods weighed, for each ton or part of a ton - - -	0	2
3d, Shed Dues.		
For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.		
For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package - -	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons - - - - - - -	10	0

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person who shall land on the Pier from, or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding - -	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose except for embarking or disembarking, for each and every time any sum not exceeding	0	4
For every Bath or sedan chair taken on the Pier, for each and every time not exceeding - - - - - - - -	0	6
For every perambulator - - - - - - -	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Dawlish, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	20	0

VI.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - -	0	4
Over 84 lbs. and not exceeding 112 lbs. - - - -	0	5
Over 112 lbs. and not exceeding 140 lbs. - - - -	0	6
Over 140 lbs. and not exceeding 196 lbs. - - - -	0	7
Over 196 lbs. and not exceeding 2 cwt. - - - -	0	8
And for every cwt. beyond - - - - - -	0	4
And for every 20 lbs. weight in addition - - - -	0	1

Dunoon.

DUNOON.

Order for the Construction, Maintenance, and Regulation of a New Pier at Dunoon, in the United Parishes of Dunoon and Kilmun, in the County of Argyll.

Incorporation of Company.

1. The following persons, namely, William Coats, Archibald Oswald, Peter Robertson, Alexander Melville, William Whitesmith, Daniel Macphee, Hugh Macgregor, Robert Tyre, Malcolm Cameron, John Sawers, James Mitchell, Henry Walton, and James Thomson, and all other persons, and all Corporations

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tions subscribing to the undertaking by this Order authorized, their executors, administrators, successors, and assigns, shall be and are hereby united into a Company for the purpose of making and maintaining the pier and works by this Order authorized, and for the other purposes of this Order, and for those purposes shall be and are hereby incorporated by the name of the Dunoon New Pier Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions of this Order.

Undertakers.

2. The Dunoon New Pier Company, in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Companies Clauses Act incorporated.

3. The Companies Clauses Consolidation (Scotland) Act, 1845, is hereby incorporated with this Order.

Capital.

4. The capital of the Company shall be three thousand five hundred pounds in three thousand five hundred shares of one pound each.

Shares not to be issued until one fifth paid up.

5. The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum, not being less than one-fifth of the amount of such share, is paid in respect thereof.

Power to borrow.

6. The Company may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of two thousand five hundred pounds, on the security of the rates and dues authorized by this Order; or they may accept and take from any bank or banking company credit to such amount as they deem expedient, not exceeding in the whole the said sum of two thousand five hundred pounds, on a cash account to be opened and kept in the name of the Company, according to the usage of bankers in Scotland, and they may assign the rates and dues by this Order authorized, in security of the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively, by dispositions and assignations, which dispositions and assignations, and all transfers thereof, may be in the form as near as may be in the Schedule (B) to The Burgh Harbours (Scotland) Act, 1853, annexed, and shall be recorded in the general register of Sasines or in the particular register of Sasines for the county of Argyll, and have preference according to the priority of their registration therein, except in so far as a pari passu preference is by the dispositions and assignations established among all or some of them, as being assignations of parts of one capital sum which the Company, by a resolution of a specified date determine to borrow in parts.

Restriction on borrowing.

7. No money shall be borrowed under this Order until the whole capital of three thousand five hundred pounds is subscribed for, and one half thereof is paid up, and the Company have proved to the Justice who is to certify, under section 42 of The Companies Clauses Consolidation (Scotland) Act, 1845, before he so certifies, that the whole of the capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide,

Dunoon.

and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same (of which the certificate of the Justice shall be sufficient evidence).

Arrears of interest, &c. may be enforced by the appointment of a judicial factor.

8. If within two months after the interest on any mortgage granted by the Company has become due, or after the period prescribed for the payment of the principal sums in such mortgage has expired, such interest or principal (as the case may be) is not paid, the holder of such mortgage may, without prejudice to any rights, remedies, or security otherwise competent to be held by him, require the appointment of a judicial factor, by an application to be made as hereinafter provided.

Appointment of a judicial factor.

9. Every application for a judicial factor under the provisions of this Order shall be made to the sheriff or sheriff substitute of the county of Argyll; on any such application the said sheriff or sheriff substitute may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the rates by this Order authorized, or other the revenue of the Company, until all the arrears of interest or of principal, as the case may be, then due on the outstanding mortgages, together with all costs, including the charges of receiving the said rates, be fully paid; upon such appointment being made, all such rates as aforesaid shall be paid to and received by the person so appointed, and the money so received shall be so much money received by or to the use of the mortgagees, and as soon as the full amount of any interest or principal in arrear, and costs, has been so received, the power of such judicial factor shall cease: Provided, that such judicial factor shall distribute among all the mortgagees to whom interest or principal is in arrear, the rates and other moneys which so come into his hands, having respect in such distribution to the priorities, if any, of such mortgages.

Amount to authorize application for judicial factor.

10. The amount to authorize the application for appointment of a judicial factor shall be one thousand pounds in one or more mortgages.

No interest or dividend on calls.

11. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him, but this provision shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation (Scotland) Act 1845.

Money not to be used for deposits under standing orders.

12. The Company shall not out of any money so raised pay or deposit any money required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purposes of Order.

13. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

First general meeting.

14. The first general meeting of the Company shall be held within three months after the passing of an Act of Parliament confirming this Order.

Number of Directors.

15. The number of Directors shall be thirteen, with power to the Company to reduce the number, but not below seven.

Quorum of Directors.

16. The quorum of a meeting of Directors shall be three.

First Directors.

17. The persons herein-before named shall be the first Directors.

18. The

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Qualifications of Directors.

18. The qualification of a Director shall be the possession in his own right of not less than ten shares, and the qualification of the chairman of the Directors shall be the possession in his own right of not less than 50 shares.

Powers to take lands by agreement.

19. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts.

20. The Lands Clauses Consolidation (Scotland) Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to execute works.

21. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may on the lands taken by them under this Order, and in the lines and according to the levels and within the limits shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Defining works authorized.

22. The works authorized by this Order comprise the following:—

A landing pier, jetty, or wharf, on the shore of the Frith of Clyde, commencing at the shore road leading round the Old Castle, Dunoon, at a point twenty yards or thereabouts, measuring in a north-easterly direction, from the gateway of the carriage entrance to the Castle House, Dunoon, and terminating in the Frith of Clyde at a point beyond low-water mark one hundred and twenty-two yards or thereabouts, measuring in an easterly direction, from the said gateway;

ith all necessary approaches, warehouses, sheds, offices, and other works and conveniences in connection therewith.

Power to levy rates according to Schedule.

23. Subject and according to the provisions of this Order, the Company may demand, levy, and recover, in respect of vessels, goods, merchandise, cattle, fish, animals, and things described in the Schedule to this Order, any sums not exceeding the several rates therein specified.

Certain fishing vessels under stress of weather exempt from rates.

24. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of whether to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of customs officers.

25. Officers of customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier, by land and with their vessels and otherwise, without payment.

Application of receipts.

26. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:—

1. In paying the costs of and connected with the preparation and making of this Order;

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2. In paying the expenses of the construction, maintenance, repair, improvement, management, and regulation of the Pier and works hereby authorized;

3. In payment of the interest of any money borrowed under this Order, and in or towards repayment of the principal of such money;

4. As to the surplus revenue of the Company, if any, after providing for the purposes aforesaid, the same shall be applicable by the Company to and for their own proper use and benefit.

Exclusion of portions of Harbours Clauses Act, 1847.

27. Notwithstanding anything in The General Pier and Harbour Act, 1861, Amendment Act, the following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, and 19.

Lands for extraordinary purposes.

28. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Meters and weighers.

29. The Company shall have the appointment of meters and weighers at the Pier.

Steam vessels, lighters, &c.

30. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Short Title.

31. This Order may be cited as The Dunoon New Pier Order, 1866.

SCHEDULE to which this Order refers.

I.—Rates on Goods or Animals shipped or unshipped, received or delivered at the Landing Pier, Jetty, or Wharf authorized by this Order.

	s.	*d.*
Puncheon of whiskey or other liquid	*0*	*6*
Hogshead of ale, beer, porter, spirits, or other liquids	*0*	*3*
Half-hogshead or barrel	*0*	*1½*
Firkin or jar	*0*	*1*
Beef, hams, dried fish, &c., per cwt.	*0*	*1*
Sugar, &c., per tierce	*0*	*4*
Flour, sugar, herrings, and all other articles in barrels, of barrel bulk	*0*	*1*
Flour, meal, corn, potatoes, &c., per bag or sack	*0*	*1*
When in quantities for same person, 10 bags for	*0*	*6*

Tea, soap, eggs, fish, &c., *1d.* per box; under 14 lbs. weight, ½*d.* per box.
Parcels under 14 lbs. weight, ½*d.*; above 14 lbs. weight, *1d.*
Butter, lard, soap, &c., per firkin or kit, *1d.*; if more than one for one person, ½*d.* each.

Empty casks not being returned, each	*0*	*1*
Vegetables, &c., large hamper, *2d.*; small ditto, *1d.*		
Cheese, *1d.* each; small ditto, *3d.* per dozen.		
Milk, per keg	*0*	*0½*
Cloth, or haberdashery, &c., per barrel bulk	*0*	*2*
Ironmongery and hardware ditto	*0*	*2*

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		s.	d.
	Nails, per bag, *1d.*; when in quantities for same person, 10 bags for *6d.*		
	Grates and stoves, small, *1d.*; large, *2d.*		
	Crystal, crockery, earthenware, bottles, glass, &c., large crate, *4d.*; small ditto, *1d.*		
	Wool, per bag	*0*	*3*
	Hay and straw, per bale	*0*	*2*
	Stones, asphalte, wood, lead, iron, zinc, tiles, pipes, bricks, slates, or other heavy material, per ton	*0*	*8*
	Leather, cordage, &c., per cwt.	*0*	*1*
	Lath-wood, per dozen bundles	*0*	*4*
	Chimney cans, small $\frac{1}{2}d.$ each; large, *1d.* each		
	Household furniture and passengers luggage, *3d.* per two wheelbarrows loaded; *2d.* per one wheelbarrow loaded.		
	Passengers allowed 28 lbs. weight of personal luggage free of charge, when carried by themselves.		
	Carriage with four wheels	*1*	*0*
	Ditto two	*0*	*6*
	Cart, empty	*0*	*6*
	Horses, asses, and mules, *1s.* each, if more than one to one person *9d.* each.		
	Cattle, *4d.* each, ditto ditto *3d.* each.		
	Swine, each	*0*	*2*
	Sheep and lambs, *6d.* per score; if fewer than ten, $\frac{1}{2}d.$ each.		
	Poultry, per dozen	*0*	*2*
	All articles landed at breast wall, *2d.* per ton.		
	All other articles not enumerated, and to which the foregoing Schedule may not apply, to pay at landing or shipping,—		
	If by measurement, per barrel bulk	*0*	*1*
	If by weight, per ton	*0*	*8*
	Articles which can be measured, to pay by barrel bulk, all others by weight.		
	In charging the rates on goods the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.		
	Five cubic feet, not exceeding two and a half hundredweight, to be rated as a barrel bulk, but when the weight of five cubic feet is greater than two and a half hundredweight, then two and a half hundredweight to be rated as a barrel bulk.		

II.—Rates on Vessels using the Landing Pier, Jetty, or Wharf.

Every steamer using the landing pier or jetty for discharging or shipping passengers or goods, shall pay $\frac{1}{4}d.$ (one farthing) per ton burden.

Every other vessel, decked or undecked, using the landing pier, jetty, or wharf for discharging or shipping goods, shall pay *2d.* per ton burden.

III.—Rates for the Use of Sheds, Cranes, and Weighing Machines.

Sheds.

For each ton of goods of eight barrels bulk, or for each ton of goods of twenty hundredweights which shall remain in any shed, or on the landing pier, jetty, or wharf for a longer time than forty-eight hours, the sum of *4d.*, and the sum of *2d.* per ton for each day during which such goods shall remain after the first forty-eight hours.

Dunoon.

Cranes.

	s.	*d.*
All goods or packages not exceeding 1 ton	*0*	*3*
Exceeding 1 ton, and not exceeding 2 tons	*0*	*4*
„ 2 tons „ 3 tons	*0*	*6*
„ 3 tons „ 4 tons	*0*	*8*
„ 4 tons „ 5 tons	*0*	*10*
„ 5 tons „ 6 tons	*1*	*0*
„ 6 tons „ 7 tons	*1*	*2*
„ 7 tons „ 8 tons	*1*	*4*
„ 8 tons „ 9 tons	*1*	*8*
„ 9 tons „ 10 tons	*2*	*0*
Exceeding 10 tons	*3*	*0*

Weighing Machines.

For goods weighed, *1d.* for each ton or part of a ton.

Foryd.

FORYD.

Order for the Construction, Maintenance, and Regulation of a Pier at Foryd, in the County of Denbigh.

Undertakers.

1. The Foryd Pier Company, Limited, in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the works shown on the deposited plans.

Description of Pier.

5. The works authorized by this Order comprise the following:—

A pier, jetty, and landing stage at Foryd, in the parish of Abergele, in the county of Denbigh, commencing at a point about one hundred yards to the westward of a house formerly used as a telegraph house by the Liverpool Dock Trust, and now in the occupation of John Griffiths, and the property of and belonging to Hugh Robert Hughes, Esquire, of Kinmel Park, in the county of Denbigh, with limits of deviation laterally to the said house on the east, and to a point marked

marked B, as shown on the deposited plans and sections, on the west, and all opposite to, on, or adjoining to the land and property of the said Hugh Robert Hughes, and extending in a northerly or north-westerly direction towards low-water mark for a distance of six hundred yards, or thereabouts, of a width not less than fifteen feet, and a height above high-water mark not less than seven feet. *Foryd.*

Power to take rates according to Schedule.

6. The Company may demand and receive in respect of the vessels, cattle, goods, merchandise, persons, and things in the Schedule hereto described, any sums not exceeding the rates in the Schedule specified.

Company may contract with persons for the use of the Pier.

7. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the Pier on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Composition for dues.

8. The Company may from time to time enter into a contract or contracts with any person or persons, company or body corporate, for any period not exceeding one year, for a composition or reduced payment or payments in respect of the tolls, rates, charges, and duties in the Schedule hereto, or any part or parts thereof, but so that no preference be given to any such person or persons, company or body corporate.

Certain fishing vessels under stress of weather exempt from dues.

9. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from dues leviable under this Order.

Exemption of Custom House officers.

10. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier, by land and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

11. The Company shall not purchase for extraordinary purposes (within the meaning of The Harbours, Docks, and Piers Clauses Act, 1847,) lands exceeding in the whole three acres.

Meters and weighers.

12. The Company shall have the appointment of meters and weighers on the Pier.

Steam engines, diving bells, lighters, &c.

13. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels, and also such tramways and carriages as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they may think reasonable.

Foryd.

Part V. of 24 & 25 Vict. c. 47. to apply.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall app to the Pier authorized by this Order.

Short title.

15. This Order may be cited as The Foryd Pier Order, 1866.

The SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters for each trip, per ton	*0*	*2*
All boats entirely open, landing, or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale, bottled, per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Beef or pork, per barrel	*0*	*3*
Biscuits or bread, per cwt.	*0*	*3*
Blubber, per tun of 252 gallons	*3*	*0*
Bones and bone dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*1*	*6*
Butter and lard, per barrel	*0*	*6*
Ditto, per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*
Canvas, per bolt	*0*	*1*
Carriages:		
Chaises and other four-wheeled carriages, each	*7*	*6*
Gigs, carts, and other two-wheeled carriages, each	*5*	*0*
Hand carts and perambulators, each	*1*	*0*
Casks (empty) not being returned packages, per puncheon	*0*	*3*
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	*3*	*0*
Calves, each	*1*	*0*
Horses, each	*4*	*0*
Pigs, each	*0*	*6*
Sheep, each	*0*	*6*
Chalk, per ton	*1*	*0*
Cheese, per cwt.	*0*	*4*
Chimney pots, each	*0*	*3*
Clay, per ton	*1*	*0*
Cloth, haberdashery, &c., per package, not exceeding one cwt.	*0*	*6*
Coals, per ton	*1*	*0*

		s.	d.	*Foryd.*
	Copper, per ton	3	0	
	Cordage, per cwt.	0	3	
	Corks, per cwt.	0	6	
5	Corpses, each	20	0	
	Crystal, per box or package	0	6	
	Dogs, each	0	6	
	Drugs (in casks, hampers, or boxes), per foot	0	2	
	Earthenware (in crates) per foot	0	1	
10	Eggs, per box	0	3	
	Fish (dried and salted) per cwt.	0	3	
	Ditto fresh, not enumerated	0	2	
	Flax, per ton	2	0	
	Flour and meal, per sack	0	4	
15	Ditto, per barrel	0	3	
	Furniture (household), per 5 cubic feet	0	4	
	Fruit, per bushel or seive	0	4	
	Glass, per large crate	1	6	
	Ditto, per small crate or case	1	0	
20	Ditto, per box	0	6	
	Grains and seeds, per quarter	0	6	
	Groceries, not enumerated, per cwt.	0	6	
	Guano, per ton	1	6	
	Gunpowder, per barrel or keg	0	6	
25	Hams, bacon, or tongues, per cwt.	0	4	
	Hardware, per ton	2	6	
	Hares and rabbits, per dozen	0	4	
	Hay, per ton	1	6	
	Ditto, per truss	0	2	
30	Hemp, per ton	2	0	
	Herrings (fresh), per 1,000	0	3	
	Ditto (cured), per barrel	0	3	
	Hides:			
	Ox, cow, or horse (wet or dry), each	0	2	
35	Iron:			
	Bar, bolt, rod, and shot, per ton	1	6	
	Pig and old, per ton	1	0	
	Manufactured, per ton	2	6	
	Pots, each	0	1	
40	Kelp, per ton	2	0	
	Lead, per ton	2	6	
	Leather (tanned and dressed) per cwt.	0	4	
	Lime, per 28 bushels	1	4	
	Limestone, per ton	1	0	
45	Machinery, per ton	2	6	
	Manure (not enumerated), per ton	1	0	
	Masts and spars, 10 inches in diameter and upwards, each	4	6	
	Ditto, under 10 inches, each	3	0	
	Meat (fresh), per cwt.	0	6	
50	Milk, per gallon	0	0½	
	Musical instruments, per cubic foot	0	1	
	Nets, per 5 cubic feet	0	1	
	Oakum, per cwt.	0	2	
	Oils, per ton	2	0	
55	Oil cake, per ton	2	0	
	Oranges and lemons, per box	0	6	
	Ores, per ton	1	0	
	Oysters, per bushel	0	3	
	Paint, per cwt.	0	4	
60	Pitch and tar, per barrel	0	6	

Foryd.

	s.	d.	
Potatoes, per cwt.	0	2	
Poultry and game, per dozen	0	4	
Rags and old rope, per ton	2	0	
Sails, per cwt.	0	6	5
Salt, per cwt.	0	1	
Sand, per ton	1	0	
Shrimp baskets, each	0	2	
Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6	
Slates, per ton of 24 cubic feet	2	0	10
Spirits (foreign or British), per hogshead	1	0	
Ditto, per gallon	0	1	
Stones, per ton of 16 cubic feet	1	6	
Steel, per ton	3	0	
Sugar, per cwt.	0	3	15
Tallow, soap, and candles, per cwt.	0	3	
Tea, per chest	1	0	
Tiles, per 1,000	1	6	
Tin and zinc, per ton	3	0	
Tobacco, per cwt.	0	6	20
Turbot, per score	0	3	
Turnips, per ton	0	6	
Turpentine and varnish, per barrel	0	6	
Turtle, each	2	6	
Vegetables (not enumerated), per cwt.	0	4	25
Vinegar, per hogshead	0	6	
Vitriol, per carboy	0	1	
Water, per cask	3	0	
Wine, per hogshead	1	0	
Ditto (bottled), per dozen bottles	0	2	30
Wood:			
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6	
Oak or wainscot, per load of 50 feet	2	0	
Firewood, per 216 cubic feet fathom	1	6	
Laths and lathwood, per fathom of 216 cubic feet	2	6	35
Handspikes, per 120	3	0	
Oars, per 120	5	0	
Spars, under 22 feet in length, above $2\frac{1}{2}$, and under 4 inches in diameter, per 120	5	0	
Ditto, $2\frac{1}{2}$ inches in diameter and under, per 120	4	0	40
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0	
Ditto, above 4 and under 6 inches in diameter, per 120	14	0	
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0	
Ditto, exceeding 2 feet in length, per 120	3	0	45
Ditto, treenails, per 1,000	2	6	
Ditto, wedges, per 1,000	2	6	
Pipe staves, and others in proportion, per 120	2	6	
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0	
Wool, per cwt.	0	4	50
Yarn, per cwt.	0	2	

All other Goods not particularly enumerated above.

Light goods, per cubic foot	0	1	
Heavy goods, per ton	2	0	
In charging the rates on goods, the gross weight or measurement on all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.			55

III.—Rates for Use of Cranes, Weighing Machines, and Sheds. *Foryd.*

1*st. Rates of Cranage.*

		s.	d.
All goods or packages not exceeding 1 ton		0	4
Exceeding 1 ton and not exceeding 2 tons		0	6
„ 2 tons „ 3 tons		0	8
„ 3 tons „ 4 tons		0	10
„ 4 tons „ 5 tons		1	0
„ 5 tons „ 6 tons		1	2
„ 6 tons „ 7 tons		1	4
„ 7 tons „ 8 tons		1	6
„ 8 tons „ 9 tons		1	10
„ 9 tons „ 10 tons		2	4
„ 10 tons		3	6

2*d. Weighing Machines.*

For goods weighed, for each ton or part of a ton		0	2

3*d. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of $1\frac{1}{2}$*d.* per ton for each day during which such goods shall remain after the first 48 hours.			
For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package		0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton		0	6

V.—Rates on Passengers landing on or embarking from the Pier.

	s.	d.
For every passenger or other person landing on the pier from, or embarking from it to any ship, vessel, packet, or passage boat, for each time, any sum not exceeding	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding	0	2
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding	0	6
For every perambulator taken on the pier for each time, any sum not exceeding	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of Foryd, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

VI.—Rates on Passengers Luggage landed or shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
„ 84 lbs. „ 112 lbs.	0	5
„ 112 lbs. „ 140 lbs.	0	6
„ 140 lbs. „ 196 lbs.	0	7
„ 196 lbs. „ 2 cwt.	0	8
And for every 20 lbs. weight in addition	0	1

Hopeman.

HOPEMAN.

Order for the Improvement and Regulation of the Harbour of Hopeman, in the Parish of Duffus and County of Elgin.

Undertakers.

1. Thomas Duff Gordon Duff, Esquire, and his successors, owners of the harbour of Hopeman for the time being, shall be the Undertakers for carrying this Order into execution.

Powers to take lands by agreement.

2. For the purposes of the works authorized by this Order, the Undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plan deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation (Scotland) Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order.

Power to execute works.

4. Subject to the provisions of this Order, and to the provisions for notice to the Board of Trade, contained in the Act of the 46th year of the reign of King George the Third, chapter 153, as amended by The Harbours Transfer Act, 1862, the Undertakers may maintain and improve the existing harbour and works, and may also within the limits of this Order execute and maintain all such other works, buildings, sheds, warehouses, wharves, jetties, and conveniences as are from time to time necessary for the improvement of the harbour, or the accommodation of the shipping resorting thereto.

Limits of harbour.

5. The limits of this Order shall be as follows, namely :—

Commencing at a point on the street leading from the village of Hopeman to the harbour, at a distance of ten feet from the north-east corner of the Hopeman Steam Mills, and proceeding in a westerly direction therefrom for a distance of three hundred and sixty yards, to a point on the shore about sixty-five yards, measuring at right angles, from high-water mark, and from that point, in a northerly direction, seawards, a distance of four hundred and sixty-five yards, thence eastwards a distance of six hundred and sixty yards, thence shorewards in a southerly direction for a distance of four hundred and sixty-five yards to a point on the shore three hundred yards east of the point first described, and thence westwards for a distance of three hundred yards to that point.

Power to levy dues according to schedule.

6. Subject and according to the provisions of this Order, the Undertakers may demand and receive in respect of vessels, passengers, goods, fish, animals, and things described in the Schedule to this Order, any dues not exceeding the several sums therein specified.

Power to reduce dues.

7. The Board of Trade, at any time on an application in writing from six or more of the owners of vessels or boats resorting to the harbour, and after hearing the Undertakers, may, if the dues appear to the Board of Trade excessive

sive or disproportionate to the benefits conferred, reduce the same, with power to the Board of Trade to raise them again to not exceeding the maximum amounts specified in the Schedule, and so *toties quoties.* *Hopeman.*

Recovery of dues.

8. Dues on a vessel may be recovered by action in any Court of competent jurisdiction from the owner or any part-owner or skipper thereof, or from the consignee or owner of the goods therein; and this provision shall be without prejudice to the powers of the undertakers under section 44 of The Harbours, Docks, and Piers Clauses Act, 1847.

Publication of Schedule.

9. The Undertakers shall keep a copy of the Schedule to this Order, printed in large letters and figures, exhibited in the office of the collector of the dues, and accessible to all persons at all times while the office is in use for business; and they shall also at all times keep printed copies of the Schedule and sell the same to all persons desiring to buy the same at a price not exceeding one penny a copy.

Certain fishing vessels under stress of weather exempt from dues.

10. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the harbour of Hopeman, and not breaking bulk while making use thereof, be exempt from dues leviable under this Order.

Exemption of Customs Officers.

11. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the wharf, harbour, and works by land, and with their vessels and otherwise, without payment.

Lease of harbour.

12. The Undertakers shall not grant a lease or tack of the harbour or of the dues leviable under this Order for a longer period than three years at a time.

Application of receipts.

13. The dues received under this Order shall be applicable for the purposes and in the order following, and not otherwise:—

1. In paying the costs of and connected with the preparation and making of this Order:
2. In paying the expenses of the maintenance, repair, improvement, management, and regulation of the existing harbour and works:
3. In payment of the interest of any money borrowed under this Order, and in or towards repayment of the principal of such money:
4. In the execution and maintenance of such other works, buildings, sheds, warehouses, wharves, jetties, and conveniences, as are authorized by this Order:
5. As to the surplus revenue of the harbour, if any, after providing for the purposes aforesaid, the same shall be applicable by the Undertakers to and for their own proper use and benefit.

Power to borrow.

14. The Undertakers may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of nine thousand pounds, on the security of the dues authorized by this Order; or they may accept and take from any bank or banking company credit to such amount as they deem expedient, not exceeding in the whole the said sum of nine thousand pounds, on a cash

Hopeman.

account to be opened and kept in the name of the Undertakers, according to the usage of bankers in Scotland, and they may assign the dues hereby authorized, in security of the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively, by dispositions and assignations, which dispositions and assignations, and all transfers thereof, may be in the form as near as may be in the Schedule (B) to the Burgh Harbours (Scotland) Act, 1853, annexed, and shall be recorded in the General Register of Sasines or in the Particular Register of Sasines for the county of Elgin, and have preference according to the priority of their registration therein, except in so far as a *pari passu* preference may by the dispositions and assignations have been established, among all or some of them, as being assignations of parts of one capital sum, which the Undertakers may by a resolution of a specified date have determined to borrow in parts.

Money to be applied to purposes of Order.

15. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Undertakers to keep down interest and pay off principal.

16. The Undertakers shall regularly keep down the interest accruing on any money borrowed under this Order, and shall not allow any such interest to be in arrear for a longer period than three months at any one time, and shall repay the money borrowed within 50 years from the time of borrowing.

Arrears of interest, &c., may be enforced by the appointment of a judicial factor.

17. If within two months after the interest on any mortgages granted by the Undertakers has become due, or after the period prescribed for the payment of the principal sums in such mortgages has expired, such interest or principal (as the case may be) is not paid, the holders of such mortgages may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, require the appointment of a judicial factor, by an application to be made as herein-after provided.

Appointment of a judicial factor.

18. Every application for a judicial factor under the provisions of this Order shall be made to the Sheriff or Sheriff Substitute of the county of Elgin; on any such application the said Sheriff or Sheriff Substitute may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the dues, until all the arrears of interest or of principal, as the case may be, then due on the outstanding mortgages, together with all costs, including the charges of receiving the said rates, be fully paid; on such appointment being made, all the dues shall be paid to and received by the person so appointed, and the money so received shall be so much money received by or to the use of the mortgagees, and so soon as the full amount of any interest or principal in arrear, and costs, has been so received, the power of such judicial factor shall cease: Provided always, that such judicial factor shall distribute among all the mortgagees to whom interest or principal shall be in arrear the rates and other monies which shall so come into his hands, having respect in such distribution to the priorities, if any, of such mortgages.

Amount to authorize application for judicial factor.

19. The amount to authorize the application for appointment of a judicial factor shall be one thousand pounds in one or more mortgages.

Exclusion of portions of

20. Notwithstanding anything in The General Pier and Harbour Act, 1861, Amendment Act contained, the following provisions of The Harbours, Docks, and

and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, 19, 25, 26, and 47. *Hopeman.* Harbours Clauses Act, 1847.

21. The Undertakers shall have the appointment of meters and weighers within the harbour. Meters and weighers.

22. The Undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for the purposes of the harbour, and may demand and receive such sums for the use of the same as they think reasonable. Steam vessels, lighters, &c.

23. The Undertakers shall be a pilotage authority, and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities. Pilotage, lights, buoys, and beacons.

24. This Order may be cited as The Hopeman Harbour Order, 1866. Short title.

SCHEDULE to which the foregoing Order refers.

I.—Dues on Vessels entering or using the Harbour.

	s.	*d.*
For every vessel wholly or partly decked:—		
If under 20 tons burden - - - per register ton	*0*	*4*
If 20 tons burden or upwards - - per register ton	*0*	*6*
All open boats engaged in the herring fishery at the port, to pay each, at the commencement of the summer fishing season, in full of tonnage duty, for such season - - - - -	*10*	*0*
All open boats loading or discharging herrings or other fresh fish, not engaged to fish at the port for the summer season, shall each pay for every time they so load or discharge - - - -	*1*	*0*
All open boats entering said harbour, wind-bound or for shelter, having no cargo, to pay each time - - - -	*0*	*6*
Ditto, ditto, having a cargo but not discharging, to pay each time -	*0*	*9*
All other boats loading or discharging, for every time - - -	*1*	*6*
All boats engaged in the white fishing for the season, to commence 1st October, shall pay annually in advance - - -	*15*	*0*

II.—Stance Dues.

For every herring boat hauled up in the harbour for wintering—yearly, per boat - - - - - - - - - -	*4*	*0*

III.—Dues for Passengers.

For every passenger landing from or embarking in any vessel or boat in the harbour - - - - - - - -	*0*	*3*

Hopeman.

IV.—Dues on Animals and Goods shipped or unshipped, received or delivered in the Harbour.

	s.	*d.*
Ballast - - - - - - - - per ton	*0*	*1*
Boxes and casks, empty, exclusive of empties returned - - each	*0*	*1*
Ditto, ditto, returned empty within 3 months after arriving full -	Exempt	
Ditto, ditto, if returned empty after 3 months - - - each	*0*	*0½*
Bricks, tiles, and slates, all kinds - - - - per 1,000	*1*	*6*
Cake and feeding stuffs for cattle, all kinds - - - per ton	*1*	*0*
Cattle and other live animals, viz. :—		
Horses, asses, mules, bulls, cows, and oxen - - - each	*1*	*0*
Calves, sheep, and pigs - - - - - - each	*0*	*1½*
Lambs and other live animals, except poultry - - - each	*0*	*1*
Live poultry - - - - - - per dozen	*0*	*3*
Coals, all kinds - - - - - - per ton	*0*	*6*
Corn, all kinds - - - - - - per quarter	*0*	*2*
Fish, viz. :—Salmon, herring, and white, all kinds, fresh, cured, salted, and dry - - - - - - - per cwt.	*0*	*1*
Or, in the Collector's option - - - per cran or barrel	*0*	*2½*
Flour and meal - - - - - - per cwt.	*0*	*1*
Guano, bones, and other extraneous, artificial, light, or portable manures, per ton	*1*	*0*
Hay and straw - - - - - - per ton	*0*	*8*
Lime - - - - - - - - per ton	*0*	*5*
Or, in the Collector's option - - - per 8 bushels	*0*	*1*
Luggage of each passenger arriving or leaving, if more than 2 barrels bulk - - - - - - per barrel bulk	*0*	*2*
Manure, common - - - - - - - per ton	*0*	*2*
Salt - - - - - - - - per ton	*1*	*0*
Shellfish, all kinds (bait for fishing exempted) - - per cwt.	*0*	*1*
Spirits and wine, all kinds - - - - - per gallon	*0*	*0½*
Stones, undressed - - - - - - per ton	*0*	*1*
Ditto, dressed - - - - - - - per ton	*0*	*2*
Ditto, paving - - - - - - - - per ton	*0*	*4*
Tea - - - - - - - - per 80 lbs.	*0*	*5*
Timber, unwrought, all kinds, 2 per cent. of value, or at Collector's option, per load of 50 cubic feet - - - - -	*0*	*6*
All other goods, articles, and effects not enumerated :—		
By weight - - - - - - - per cwt.	*0*	*1½*
Or, in the Collector's option, by measurement - per barrel bulk	*0*	*3*

In charging the rates on goods, the gross weight or measurement to be taken, and for any less weight or measurement than those above specified, a proportion of the respective rates shall be charged, not being less than *1d.* for any one box, parcel, or package.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. is to be rated as a barrel bulk.

V.—Dues for the Use of Sheds, Cranes, Weighing Machines, and Hawsers.

1st, Sheds.

For each ton and each 8 barrels bulk of goods which shall remain in any shed, or on the pier, for any longer time than 48 hours, for the first day, or part of a day, *3d.*; and for each day thereafter, *1½d.*

2d, Use of Cranes.

For all goods raised or lowered - - - - - - per ton	*0*	*2*

3d, Use of Weighing Machines. *Hopeman.*

	s.	d.
For coals, lime, and timber - - - - - per ton	0	2
For hay and salt - - - - - per load	0	6
For all other goods and commodities - - - - per ton	0	4

4th, Hawsers.

For every vessel, under the burden of 100 tons, using any hawser, the property of the undertakers, *6d.* per vessel; and for every vessel of the burden of 100 tons or upwards, *1s.* per vessel; each time of using.

HORNSEA. *Hornsea.*

Order for the Construction, Maintenance, and Regulation of a Pier at Hornsea, in the East Riding of the County of York.

1. The Hornsea Pier Company (Limited), hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order. The undertakers.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order. Lands Clauses Acts incorporated.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make works.

5. The works authorized by this Order comprise the following: Description of pier.

A pier, jetty, and landing place, with all proper works, tramways, approaches, and other conveniences connected therewith, for promenade, and for the embarking and landing of passengers, fish, cattle, goods, and merchandise, and for the safe keeping of boats and other purposes, commencing at or near the northern extremity of an arable field in the township and parish of Hornsea, in the East Riding of the county of York, called Hodgson's Close, the property of and in the occupation of Joseph Armytage Wade, Esq., lying between the terminus of the Hull and Hornsea Railway, at Hornsea, and the sea, and extending seaward in an easterly direction a distance of 1,200 feet or thereabouts.

Hornsea.

Power to take rates according to Schedule to Order.

6. The Company may demand and receive in respect of the persons, vessels, fish, cattle, goods, and things described in the Schedule to this Order any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom house officers exempt from rates.

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 and 21 to 23, all inclusive.

Restriction on use of pier.

13. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier, jetty, or landing place authorized by this Order any sheep, cattle, or merchandise, or to ship or unship anything which in the judgment of the Company might in any manner interfere with the use of the pier, jetty, or landing place for recreation, or for the embarking or landing of passengers.

Short title.

14. This Order may be cited as The Hornsea Pier Order, 1866.

SCHEDULE to which the foregoing Order refers. *Hornsea.*

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding -	0	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - - - - - - - -	0	0	2
For every bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - - -	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Hornsea, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - -	1	0	0

II.—Rates on Passengers Luggage landed or shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs. - - - - - - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - -	0	4
„ 84 lbs. „ 112 lbs. - - - -	0	5
„ 112 lbs. „ 140 lbs. - - - -	0	6
„ 140 lbs. „ 196 lbs. - - - -	0	7
„ 196 lbs. „ 2 cwt. - - -	0	8
And for every 20 lbs. weight in addition - - - -	0	1

III.—Rates on Vessels using the Pier.

For every vessel under 15 tons, per ton - - - -	0	4
For every vessel of 15 tons and under 50 tons, per ton - - -	0	6
„ „ 50 tons „ 100 tons, „ -	0	8
„ „ 100 tons „ 150 tons, „ -	0	10
„ „ 150 tons and upwards, per ton -	1	0
All lighters for each trip, per ton - - - - -	0	2
All boats entirely open landing or taking on board goods, each -	0	6

IV.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead - - - - -	0	6
Ale, bottled, per barrel - - - - - -	0	4
Ditto, per dozen bottles - - - - - -	0	1
Anchors, per cwt. - - - - - - -	0	9
Anchor stock, per foot run - - - - - -	0	2
Bark, per ton - - - - - - - -	2	0
Bedding, per bundle - - - - - - -	0	3
Beef or pork, per cwt. - - - - - -	0	3
Beef or pork, per barrel - - - - - -	0	6
Biscuits or bread, per cwt. - - - - - -	0	3
Blubber, per tun of 252 gallons - - - - -	3	0

Hornsea.

		s.	d.
Bones and bone dust, per ton		1	6
Bottles, per gross		0	9
Bricks, per 1,000		1	6
Butter and lard, per barrel		0	6
Ditto, per firkin		0	3
Cables, iron or hempen, per ton		3	0
Canvas, per bolt		0	1
Carriages:			
Chaises and other four-wheeled carriages, each		7	6
Gigs, carts, and other two-wheeled carriages, each		5	0
Hand carts and perambulators, each		1	0
Casks (empty), not being returned packages, per puncheon		0	3
Other casks in proportion.			
Cattle:			
Bulls, cows, and oxen, each		3	0
Calves, each		1	0
Horses, each		4	0
Pigs, each		0	6
Sheep, each		0	6
Chalk, per ton		1	0
Cheese, per cwt.		0	4
Chimney pots, each		0	3
Clay, per ton		1	0
Cloth, haberdashery, &c., per package not exceeding one cwt.		0	6
Coals, per ton		1	0
Copper, per ton		3	0
Cordage, per cwt.		0	3
Corks, per cwt.		0	6
Corpses, each		20	0
Crystal, per box or package		0	6
Dogs, each		0	6
Drugs (in casks, hampers, or boxes), per foot		0	2
Earthenware (in crates), per foot		0	1
Eggs, per box		2	0
Fish (dried and salted), per cwt.		0	3
Ditto, fresh not enumerated		0	2
Flax, per ton		2	0
Flour and meal, per sack		0	4
Ditto, per barrel		0	3
Furniture (household), per 5 cubic feet		0	4
Fruit, per bushel or sieve		0	4
Glass, per large crate		1	6
Ditto, per small crate or case		1	0
Ditto, per box		0	6
Grains and seeds, per quarter		0	6
Groceries, not enumerated, per cwt.		0	6
Guano, per ton		1	6
Gunpowder, per barrel or keg		0	6
Hams, bacon, or tongues, per cwt.		0	4
Hardware, per ton		2	6
Hares and rabbits, per dozen		0	4
Hay, per ton		1	6
Ditto, per truss		0	2
Hemp, per ton		2	0
Herrings (fresh), per 1,000		0	3
Ditto (cured), per barrel		0	3
Hides:			
Ox, cow, or horse (wet or dry), each		0	2

		s.	d.	
	Iron:			
	Bar, bolt, rod, and shots, per ton	1	6	*Hornsea.*
	Pig and old, per ton	1	0	
	Manufactured, per ton	2	6	
5	Pots, each	0	1	
	Kelp, per ton	2	0	
	Lead, per ton	2	6	
	Leather (tanned and dressed), per cwt.	0	4	
	Lime, per 28 bushels	1	4	
10	Limestone, per ton	1	0	
	Machinery, per ton	2	6	
	Manure (not enumerated), per ton	1	0	
	Masts and spars, ten inches in diameter and upwards, each	4	6	
	Ditto, under ten inches, each	3	0	
15	Meat (fresh), per cwt.	0	6	
	Milk, per gallon	0	0½	
	Musical instruments, per cubic foot	0	1	
	Nets, per 5 cubic foot	0	4	
	Oakum, per cwt.	0	2	
20	Oils, per tun	2	0	
	Oilcake, per ton	2	0	
	Oranges and lemons, per box	0	6	
	Ores, per ton	1	0	
	Oysters, per bushel	0	3	
25	Paint, per cwt.	0	4	
	Pitch and tar, per barrel	0	6	
	Potatoes, per cwt.	0	2	
	Poultry and game, per dozen	0	4	
	Rags and old rope, per ton	2	0	
30	Sails, per cwt.	0	6	
	Salt, per cwt.	0	1	
	Sand, per ton	1	0	
	Shrimp baskets, each	0	2	
	Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6	
35	Slates, per ton of 24 cubic feet	2	0	
	Spirits (Foreign or British), per hogshead	1	0	
	Ditto, per gallon	0	1	
	Stones, per ton of 16 cubic feet	1	6	
	Steel, per ton	3	0	
40	Sugar, per cwt.	0	3	
	Tallow, soap, and candles, per cwt.	0	3	
	Tea, per chest	1	0	
	Tiles, per thousand	1	6	
	Tin and zinc, per ton	3	0	
45	Tobacco, per cwt.	0	6	
	Turbot, per score	0	3	
	Turnips, per ton	0	6	
	Turpentine and varnish, per barrel	0	6	
	Turtle, each	2	6	
50	Vegetables (not enumerated), per cwt.	0	4	
	Vinegar, per hogshead	0	6	
	Vitriol, per carboy	0	1	
	Water, per cask	0	3	
	Wine, per hogshead	1	0	
55	Ditto (bottled), per dozen bottles	0	2	
	Wood:			
	Fir, pine, and other descriptions not enumerated, per load of fifty feet	1	6	
	Oak or wainscot, per load of fifty feet	2	0	

Hornsea.

	s.	d.
Wood—*continued.*		
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Ditto, treenails, per 1,000	2	6
Ditto, wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement on all goods to be taken, and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

V.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d. Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3d. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

VI.—RATES FOR LAYING WATER MAIN ON PIER.

Water, per ton	0	6

LLANDUDNO.

Llandudno.

Order for the Construction, Maintenance, and Regulation of a Pier at Llandudno, in the County of Carnarvon.

Undertakers.

1. The Llandudno Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier, jetty, and landing place, with an approach commencing at the bottom of Church Walks, at Llandudno, in the county of Carnarvon, and proceeding across the promenade and slope belonging to the Improvement Commissioners of Llandudno, to high water-mark at ordinary spring tides, a distance of one hundred and eighty feet or thereabouts, in a nearly due easterly direction, and thence proceeding in the same direction by a solid embankment for a distance of about four hundred and fifty feet, thence by a pier or jetty and landing place, extending one thousand six hundred and seventy feet or thereabouts, also in an easterly direction, and of not less than eight feet in height above high-water mark at ordinary spring tides, and fifteen feet in width, to be widened at the head to fifty feet, for a distance of three hundred feet or thereabouts, with a return pier or cant proceeding in a south-westerly direction, two hundred and sixty feet in length and fifty feet in width, or thereabouts;

And all proper works, approaches, and conveniences connected therewith for the embarking and landing of passengers, cattle, goods, and merchandise.

Powers to enlarge head, &c., and fill up space under pier.

6. The Company may from time to time, with the approval of the Board of Trade first obtained, enlarge the head and cant, or either, to such further extent as the Board of Trade in the interest of navigation approve, and may from time to time, with the like approval first obtained, fill up and solidify with concrete blocks or other material the whole or any part or parts of the space or spaces beneath the head and cant, and the enlarged head or cant.

Llandudno.

Power to take rates according to Schedule.

7. The Company may demand and receive, in respect of the vessels, cattle, goods, merchandise, persons, and things in the Schedule to this Order described, any sums not exceeding the rates in that Schedule specified.

Powers to borrow money.

8. The Company may from time to time give security on the rates leviable under this Order for any money borrowed by the Company for the purposes of the pier and works authorized by this Order; and the Public Works Loan Commissioners may from time to time lend to the Company, on such security as aforesaid, any such money required for those purposes as to the Commissioners seems fit.

Money to be applied for purposes of Order.

9. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Pass tickets.

10. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Company may contract for use of pier.

11. The Company may from time to time enter into a contract or contracts with any person or persons, company or body corporate, for any period not exceeding one year, for a composition or reduced payment or payments in respect of any rates leviable under this Order, but so that no preference be given to any such person or persons, company or body corporate, respectively.

Certain fishing vessels under stress of weather exempt from rates.

12. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of custom-house officers from rates.

13. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier, by land and with their vessels, and otherwise, without payment.

Lands for extraordinary purposes.

14. The Company shall not purchase for extraordinary purposes (within the meaning of The Harbours, Docks, and Piers Clauses Act, 1847), lands exceeding in the whole three acres.

Meters and weighers.

15. The Company shall have the appointment of meters and weighers on the pier.

Steam engines, diving bells, lighters, &c.

16. The Company may from time to time provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels, and also such tramways on the pier, jetty, and landing place and the approaches thereto authorized by this Order, and such carriages for traffic thereon,

thereon, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

17. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the pier authorized by this Order. Part V. of 24 & 25 Vict. c. 47. to apply.

18. This Order may be cited as The Llandudno Pier Order, 1866. Short title.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	d.
For every vessel under 15 tons, per ton	0	4
For every vessel of 15 tons, and under 50 tons, per ton	0	6
For every vessel of 50 tons, and under 100 tons, per ton	0	8
For every vessel of 100 tons, and under 150 tons, per ton	0	10
For every vessel of 150 tons, and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

	s.	d.
Ale, beer, and porter, per hogshead	0	6
Ale, bottled, per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Beef or pork, per barrel	0	6
Biscuits or bread, per cwt.	0	3
Blubber, per tun of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand carts and perambulators, each	1	0
Casks (empty) not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	0	6
Chalk, per ton	1	0
Cheese, per cwt.	0	4

Llandudno.

		s.	d.
	Chimney pots, each	0	3
	Clay, per ton	1	0
	Cloth, haberdashery, &c. per package, not exceeding 1 cwt.	0	6
	Coals, per ton	1	0
	Copper, per ton	3	0
	Cordage, per cwt.	0	3
	Corks, per cwt.	0	6
	Corpses, each	20	0
	Crystal, per box or package	0	6
	Dogs, each	0	6
	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
	Eggs, per box	0	3
	Fish (dried or salted), per cwt.	0	3
	Ditto, fresh, not enumerated	0	2
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
	Ditto, per barrel	0	3
	Furniture (household), per 5 cubic feet	0	4
	Fruit, per bushel or sieve	0	4
	Glass, per large crate	1	6
	Ditto, per small crate or case	1	0
	Ditto, per box	0	6
	Grain and seeds, per quarter	0	6
	Groceries not enumerated, per cwt.	0	6
	Guano, per ton	1	6
	Gunpowder, per barrel or keg	0	6
	Hams, bacon, or tongues, per cwt.	0	4
	Hardware, per ton	2	6
	Hares and rabbits, per dozen	0	4
	Hay, per ton	1	6
	Ditto, per truss	0	2
	Hemp, per ton	2	0
	Herrings (fresh), per 1,000	0	3
	Ditto (cured), per barrel	0	3
	Hides:		
	Ox, cow, or horse (wet or dry), each	0	2
	Iron:		
	Bar, bolt, rod, and shots, per ton	1	6
	Pig, and old, per ton	1	0
	Manufactured, per ton	2	6
	Pots, each	0	1
	Kelp, per ton	2	0
	Lead, per ton	2	6
	Leather (tanned and dressed), per cwt.	0	4
	Lime, per 28 bushels	1	4
	Limestone, per ton	1	0
	Machinery, per ton	2	6
	Manure (not enumerated), per ton	1	0
	Masts and spars, 10 inches in diameter and upwards, each	4	6
	Ditto, under 10 inches, each	3	0
	Meat (fresh), per cwt	0	6
	Milk, per gallon	0	0½
	Musical instruments, per cubic feet	0	1
	Nets, per 5 cubic feet	0	4
	Oakum, per cwt.	0	2

Llandudno.

		s.	*d.*
	Oils, per tun	*2*	*0*
	Oil cake, per ton	*2*	*0*
	Oranges and lemons, per box	*0*	*6*
5	Ores, per ton	*1*	*0*
	Oysters, per bushel	*0*	*3*
	Paint, per cwt.	*0*	*4*
	Pitch and tar, per barrel	*0*	*6*
	Potatoes, per cwt.	*0*	*2*
10	Poultry and game, per dozen	*0*	*4*
	Rags and old rope, per ton	*2*	*0*
	Sails, per cwt.	*0*	*6*
	Salt, per cwt.	*0*	*1*
	Sand, per ton	*1*	*0*
15	Shrimp baskets, each	*0*	*2*
	Skins: Calf, goat, sheep, lamb, or dog, per dozen	*0*	*6*
	Slates, per ton of 24 cubic feet	*2*	*0*
	Spirits (foreign or British), per hogshead	*1*	*0*
	Ditto, per gallon	*0*	*1*
20	Stones, per ton of 16 cubic feet	*1*	*6*
	Steel, per ton	*3*	*0*
	Sugar, per cwt.	*0*	*3*
	Tallow, soap, and candles, per cwt.	*0*	*3*
	Tea, per chest	*1*	*0*
25	Tiles, per 1,000	*1*	*6*
	Tin and zinc, per ton	*3*	*0*
	Tobacco, per cwt.	*0*	*6*
	Turbot, per score	*0*	*3*
	Turnips, per ton	*0*	*6*
30	Turpentine and varnish, per barrel	*0*	*6*
	Turtle, each	*2*	*6*
	Vegetables (not enumerated), per cwt.	*0*	*4*
	Vinegar, per hogshead	*0*	*6*
	Vitriol, per carboy	*0*	*1*
35	Water, per cask	*0*	*3*
	Wine, per hogshead	*1*	*0*
	Ditto (bottled), per dozen bottles	*0*	*2*
	Wood:		
	Fir, pine, and other descriptions not enumerated, per load of		
40	50 feet	*1*	*6*
	Oak or wainscot, per load of 50 feet	*2*	*0*
	Firewood, per 216 cubic feet fathom	*1*	*6*
	Laths and lathwood, per fathom of 216 cubic feet	*2*	*6*
	Handspikes, per 120	*3*	*0*
45	Oars, per 120	*5*	*0*
	Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	*5*	*0*
	Ditto, $2\frac{1}{2}$ inches in diameter, and under, per 120	*4*	*0*
	Ditto, 22 feet in length, and upwards, and not exceeding		
50	4 inches in diameter, per 120	*9*	*0*
	Ditto, above 4 and under 6 inches in diameter, per 120	*14*	*0*
	Spokes of wheels, not exceeding 2 feet in length, per 120	*2*	*0*
	Ditto, exceeding 2 feet in length, per 120	*3*	
	Ditto, treenails, per 1,000	*2*	*6*
55	Ditto, wedges, per 1,000	*2*	*6*
	Pipe staves, and others in proportion, per 120	*2*	*6*
	Lignum vitæ, fustic, logwood, mahogany, and rosewood per ton	*2*	*0*
	Wool, per cwt.	*0*	*4*
	Yarn, per cwt.	*0*	*2*

Llandudno.

All other goods not particularly enumerated above.

	s.	d.
Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement on all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st, Rates of Craneage.

	s.	d.
All goods or packages, not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
„ 2 tons, „	0	8
„ 3 tons, „	0	10
„ 4 tons, „	1	0
„ 5 tons, „	1	2
„ 6 tons, „	1	4
„ 7 tons, „	1	6
„ 8 tons, „	1	10
„ 9 tons, „	2	4
„ 10 tons	3	6

2nd, Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3rd, Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	6

V.—Rates on Passengers landing on or embarking from the Pier.

For every passenger or other person landing on the pier from, or embarking from it to, any ship, vessel, packet, or passage boat, for each time, any sum not exceeding	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding	0	2
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding	0	6
For every perambulator taken on the pier, for each time, any sum not exceeding	0	2

Llandudno.

		s.	d.
	For every master of any vessel, boat, or wherry, being an inhabitant of the town of Llandudno, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	*20*	*0*

VI.—Rates on Passengers Luggage landed or shipped.

	For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs. - - - - - -	*0*	*2*
	Over 28lbs. and not exceeding 84 lbs. - - - -	*0*	*4*
	„ 84 lbs. „ 112 lbs. - - - - -	*0*	*5*
	„ 112 lbs. „ 140 lbs. - - - -	*0*	*6*
	„ 140 lbs. „ 196 lbs. - - - - -	*0*	*7*
	„ 196 lbs. „ 2 cwt. - - - -	*0*	*8*
	And for every 20 lbs. weight in addition - - - -	*0*	*1*

VII.—Rates on Vessels entering within the Shelter and Protection of the Pier and Works only.

	For every vessel, per ton - - - - - -	*0*	*2*

All pleasure boats, and boats entirely open, exempt.

Penzance.

PENZANCE.

Order for the Construction, Maintenance, and Regulation of a Pier at Penzance, in the County of Cornwall.

The undertakers.

1. The Penzance Promenade Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Penzance.

Description of pier.

5. The works authorized by this Order comprise the following:

A promenade pier, with a landing place, commencing at a point on the quay wall on the parade, opposite to the Queen's Hotel, in the town and chapelry or borough of Penzance, in the parish of Madron, in the county of Cornwall, and extending from that point, seawards, a distance of 1000 feet, or thereabouts, in a direction south-east by south (with lateral limits of deviation extending a distance of 10 chains on each side of the proposed pier throughout the whole length thereof);

and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

Power to take rates according to Schedule to this Order.

6. The Company may demand and receive in respect of the vessels, goods, persons and things described in the Schedule to this Order, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders, or others, pass-tickets for the use of the pier on such terms and for such a period not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom-house officers exempt from rates.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels and otherwise without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 and 21 to 23, all inclusive.

Steam engines, diving bells, lighters, &c.

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

14. Part V.

Penzance.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Part V. of 24 & 25 Vict. c. 47. to apply.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the pier for recreation or for the embarking or landing of passengers.

Restriction on use of pier.

16. This Order may be cited as The Penzance Promenade Pier Order, 1866.

Short title.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	d.
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	6
„ „ 50 tons, „ 100 tons, „	0	8
„ „ 100 tons, „ 150 tons, „	0	10
„ „ 150 tons, and upwards, per ton	1	0
All lighters for each trip, per ton	0	2
All boats entirely open landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
Ditto, per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
Ditto, per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per ton of 252 gallons	3	0
Bones and bone-dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty) not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0

Penzance.

	s.	d.
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c. per package not exceeding cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Ditto (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted) per cwt.	0	3
Ditto fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry), each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig, and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather, tanned and dressed, per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh) per cwt.	0	6

		s.	d.	*Penzance.*
	Milk, per gallon	0	0½	
	Musical instruments, per cube foot	0	1	
	Nets, per 5 cubic feet	0	4	
5	Oakum, per cwt.	0	2	
	Oils, per tun	2	0	
	Oilcake, per ton	2	0	
	Oranges and lemons, per box	0	6	
	Ores, per ton	1	0	
10	Oysters, per bushel	0	3	
	Paint, per cwt.	0	4	
	Pitch and tar, per barrel	0	6	
	Potatoes, per cwt.	0	2	
	Poultry and game, per dozen	0	4	
15	Rags and old rope, per ton	2	0	
	Sails, per cwt.	0	6	
	Salt, per cwt.	0	1	
	Sand, per ton	1	0	
	Shrimp baskets, each	0	2	
20	Skins:—Calf, goat, sheep, lamb, or dog, per dozen	0	6	
	Slates, per ton, of 24 cubic feet	2	0	
	Spirits (Foreign and British), per hogshead	1	0	
	Ditto, ditto, per gallon	0	1	
	Stones, per ton of 16 cubic feet	1	6	
25	Steel, per ton	3	0	
	Sugar, per cwt.	0	3	
	Tallow, soap, and candles	0	3	
	Tea, per chest	1	0	
	Tiles, per 1,000	1	6	
30	Tin and zinc, per ton	3	0	
	Tobacco, per cwt.	0	6	
	Turbot, per score	0	3	
	Turnips, per ton	0	6	
	Turpentine and varnish, per barrel	0	6	
35	Turtle, each	2	6	
	Vegetables (not enumerated), per cwt.	0	4	
	Vinegar, per hogshead	0	6	
	Vitriol, per carboy	1	0	
	Water, per cask	0	3	
40	Wine, per hogshead	1	0	
	Ditto, bottled, per dozen bottles	0	2	
	Wood:—			
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6	
45	Oak or wainscot, per load of 50 feet	2	0	
	Firewood, per 216 cubic feet fathom	1	6	
	Laths and lathwood, per fathom of 216 cubic feet	2	6	
	Handspikes, per 120	3	0	
	Oars, per 120	5	0	
50	Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0	
	Ditto, 2½ inches in diameter and under, per 120	4	0	
	Ditto 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0	
55	Ditto, above 4 and under 6 inches in diameter, per 120	14	0	
	Spokes of wheels not exceeding 2 feet in length, per 120	2	0	
	Ditto exceeding 2 feet in length, per 120	3	0	
	Trenails, per 1,000	2	6	
	Wedges, per 1,000	2	6	

Penzance.

	s.	d.
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated above.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—Rates for use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2*d. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*d. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons	10	0

V.—Rates on Passengers and Promenaders using the Pier.

	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding	0	4
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding	0	6

	s.	d.
For every perambulator taken on the pier, for each time, any sum not exceeding	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the borough of Penzance, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

VI.—Rates on Passengers Luggage brought on the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
„ 84 lbs. „ 112 lbs.	0	5
„ 112 lbs. „ 140 lbs.	0	6
„ 140 lbs. „ 196 lbs.	0	7
„ 196 lbs. „ 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

PLYMOUTH (HOE).

Plymouth (Hoe).

Order for the Construction, Maintenance, and Regulation of a Pier at Plymouth, in the county of Devon.

The undertakers.

1. The Plymouth (Hoe) Pier Company (Limited), hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans, as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier, jetty, and landing place, commencing at a point on the southern extremity of the Hoe, opposite, or nearly opposite, and at a distance of five chains or thereabouts in a southerly direction from the Trinity Obelisk, situate in the town of Plymouth, in the parish of St. Andrew, in

Plymouth (Hoe).

in the county of Devon, and extending thence in a southerly direction five hundred feet or thereabouts;

and all proper works, sea walls, terraces, promenades, approaches, and other conveniences connected therewith.

Power to take rates according to Schedule.

6. The Company may demand and receive in respect of the persons, vessels, and things described in the Schedule to this Order, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom-house officers exempt from rates.

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following Sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 and 21 to 23, all inclusive.

Restriction on use of pier.

13. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier, jetty, or landing place authorized by this Order, any sheep, cattle, or merchandize, or to ship or unship anything which in the judgment of the Company might in any manner interfere with the use of the pier, jetty or landing place for recreation or for the embarking or landing of passengers.

Short title.

14. This Order may be cited as The Plymouth (Hoe) Pier Order, 1866.

SCHEDULE

SCHEDULE to which the foregoing Order refers.

Plymouth (Hoe).

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - -	0	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding -	0	0	4
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier, for each time, any sum not exceeding - - - - - - -	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Plymouth, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	1	0	0

II.—Rates on Passengers Luggage brought on the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs. - - - - - -	0	0	2
For every 112 lbs. weight, or fractional part thereof, in addition -	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under 15 tons, per ton - - - - -	0	0	4
For every vessel of 15 tons and under 50 tons, per ton - -	0	0	6
„ 50 tons „ 100 tons, „ - -	0	0	8
„ 100 tons „ 150 tons, „ - -	0	0	10
„ 150 tons and upwards, per ton - -	0	1	0
For every lighter, for each trip - - - -	0	0	2

REDCAR.

Redcar.

Order for the Construction, Maintenance, and Regulation of a Pier at Redcar, in the County of York.

1. The Redcar Pier Company (Limited), hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order. The undertakers.

2. For the purposes of the works authorized by this Order, the Company may from time to time by agreement enter on, take, and use all or any part of the lands shown on the deposited plans for the purposes of this Order as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

Redcar.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:—

A promenade pier, commencing at a point on the beach or sea-shore nearly opposite to and east of Moore Street in Redcar, in the parish of Marske, in the north riding of the county of York, and extending from that point into the sea, in a north-easterly direction, a distance of 1,200 feet or thereabouts (with limits of deviation laterally between a point on the beach or sea-shore opposite to and east of King Street, and a point opposite to and east of the street leading from the beach to the Railway station, and extending seawards in a north-easterly direction 1,600 feet from the beach or sea-shore);

And a landing place and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

Power to take rates according to Schedule.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule to this Order any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom-house officers exempt from rates.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along and from the pier by land, and with their vessels and otherwise, without payment.

10. The

Lands for extraordinary purposes.

10. The Company shall not purchase, for extraordinary purposes, land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen and twenty-one to twenty-three, all inclusive.

Steam engines, diving bells, lighters, &c,

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Restriction on use of pier.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order, any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers.

Short title.

16. This Order may be cited as The Redcar Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open landing or taking on board goods, each	*0*	*6*

II.—Rates of Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Ditto, per barrel	*0*	*6*
Biscuit or bread, per cwt.	*0*	*3*
Blubber, per tun of 252 gallons	*3*	*0*

Redcar.

	s.	d.
Bones and bone dust, per ton	1	6
Bottles, per gross	0	6
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
Ditto, per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty) not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package not exceeding cwt.	0	6
Carriages:—		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Ditto (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3

		s.	*d.*	*Redcar.*
	Hides:—			
	Ox, cow, or horse (wet or dry), each	*0*	*2*	
	Iron:			
5	Bar, bolt, rod, and shots, per ton	*1*	*6*	
	Pig and old, per ton	*1*	*0*	
	Manufactured, per ton	*2*	*6*	
	Pots, each	*0*	*1*	
	Kelp, per ton	*2*	*0*	
10	Lead, per ton	*2*	*6*	
	Leather, tanned and dressed, per cwt.	*0*	*3*	
	Lime, per 28 bushels	*1*	*4*	
	Limestone, per ton	*1*	*0*	
	Machinery, per ton	*2*	*6*	
15	Manure (not enumerated), per ton	*1*	*0*	
	Masts and spars, 10 inches in diameter and upwards, each	*4*	*6*	
	Ditto, under 10 inches	*3*	*0*	
	Meat (fresh), per cwt.	*0*	*6*	
	Milk, per gallon	*0*	*0½*	
20	Musical instruments, per cube foot	*0*	*1*	
	Nets, per 5 cubic feet	*0*	*4*	
	Oakum, per cwt.	*0*	*2*	
	Oils, per tun	*2*	*0*	
	Oilcake, per ton	*2*	*0*	
25	Oranges and lemons, per box	*0*	*6*	
	Ores, per ton	*1*	*0*	
	Oysters, per bushel	*0*	*3*	
	Paint, per cwt.	*0*	*4*	
	Pitch and tar, per barrel	*0*	*6*	
30	Potatoes, per cwt.	*0*	*2*	
	Poultry and game, per dozen	*0*	*4*	
	Rags and old rope, per ton	*2*	*0*	
	Sails, per cwt.	*0*	*6*	
	Salt, per cwt.	*0*	*1*	
35	Sand, per ton	*1*	*0*	
	Shrimp baskets, each	*0*	*2*	
	Skins: calf, goat, sheep, lamb, or dog, per dozen	*0*	*6*	
	Slates, per ton of 24 cubic feet	*2*	*0*	
	Spirits (foreign and British), per hogshead	*1*	*0*	
40	Ditto, ditto, per gallon	*0*	*1*	
	Stones, per ton of 16 cubic feet	*1*	*6*	
	Steel, per ton	*3*	*0*	
	Sugar, per cwt.	*0*	*3*	
	Tallow, soap, and candles	*0*	*3*	
45	Tea, per chest	*1*	*0*	
	Tiles, per 1,000	*1*	*6*	
	Tin and zinc, per ton	*3*	*0*	
	Tobacco, per cwt.	*0*	*6*	
	Turbot, per score	*0*	*3*	
50	Turnips, per ton	*0*	*6*	
	Turpentine and varnish, per barrel	*0*	*6*	
	Turtle, each	*2*	*6*	
	Vegetables (not enumerated), per cwt.	*0*	*4*	
	Vinegar, per hogshead	*0*	*6*	
55	Vitriol, per carboy	*1*	*0*	
	Water, per cask	*0*	*3*	
	Wine, per hogshead	*1*	*0*	
	Ditto, bottled, per dozen bottles	*0*	*2*	

Redcar.

	s.	d.
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	5	0
Ditto, $2\frac{1}{2}$ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated above.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st, Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d, Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3d, Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of $1\frac{1}{2}$*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

Redcar.

IV.—Rates for supplying Water on Pier.

	s.	*d.*
Water, per 1,000 gallons - - - - - -	*10*	*0*

V.—Rates on Passengers and Promenaders using the Pier.

	s.	*d.*
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - - -	*0*	*6*
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding - - -	*0*	*4*
For every bath or sedan chair taken on the pier, for each time, any sum not exceeding - - - - - -	*0*	*6*
For every perambulator taken on the pier, for each time, any sum not exceeding - - - - - - -	*0*	*2*
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Marske, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - - -	*20*	*0*

VI.—Rates on Passengers Luggage landed or shipped at the Pier.

	s.	*d.*
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - -	*0*	*2*
Over 28 lbs. and not exceeding 84 lbs. - - - -	*0*	*4*
„ 84 lbs. „ 112 lbs. - - - -	*0*	*5*
„ 112 lbs. „ 140 lbs. - - - -	*0*	*6*
„ 140 lbs. „ 196 lbs. - - - -	*0*	*7*
„ 196 lbs. „ 2 cwt. - - - -	*0*	*8*
And for every cwt. beyond - - - - -	*0*	*4*
And for every 20 lbs. weight in addition - - - -	*0*	*1*

Scarborough.

SCARBOROUGH.

Order for the Construction, Maintenance, and Regulation of a Pier at Scarborough, in the North Riding of the County of York.

Undertakers specified.

1. The Scarborough Promenade Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on or take and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Act, 1845.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order.

Scarborough.

Additional lands.

4. The Company may purchase by agreement any lands and other property which they deem necessary for the purposes of their undertaking, not exceeding in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may on the lands purchased or taken by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections, make, execute, and maintain the works shown on the deposited plans.

Description of works.

6. The works authorized by this Order are the following:

A pier and jetty or landing place commencing at a point on the north shore above high-water mark, opposite or nearly opposite to the north end of Blenheim Terrace, at or near the east side of a certain parcel of land belonging to George Fenwick Brown and George Porrett, all situate in the township, parish, and borough of Scarborough, in the North Riding of the county of York, and extending seaward one thousand feet or thereabouts;

with all proper works, sea-walls, promenades, approaches, and other conveniences connected therewith.

Power to deviate.

7. In constructing the works authorized by this Order the Company may deviate from the lines thereof laid down on the deposited plans, to any extent within the limits of deviation shown on those plans.

Power to take rates.

8. The Company may demand and receive in respect of the persons, vessels, animals, and things in the Schedule to this Order described, any sums not exceeding the rates in that Schedule specified.

Cattle, &c., not to be brought on pier.

9. No person shall be entitled to bring on the pier or embark or disembark thereat, any cattle, sheep, animals, fish, merchandise, matters, or things other than those described in the Schedule to this Order.

Pass tickets.

10. The Company may grant to passengers and promenaders or others, pass tickets for the use of the pier on such terms and for such period, not exceeding one year, as are agreed upon, but so that no preference be given to any such person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall be liable for every such offence to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

Certain fishing vessels under stress of weather exempt from rates.

11. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

12. Officers

Officers of Customs.

12. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, along, through, and out of the pier, and the use thereof with their vessels and boats, without payment.

Toll-houses, &c.

13. The Company may erect on the pier or promenade toll-houses, waiting, refreshment, and other rooms, and demise the same either wholly or in part for any term or terms of years.

Tramways.

14. The Company may lay down tramways on the pier and promenade, and run carriages thereon for hire.

Parts of Harbours, &c. Clauses Act, 1847, not incorporated.

15. The provisions of The Harbours, Docks, and Piers Clauses Act, 1847, with respect to life boats, and with respect to keeping a tide and weather gauge, shall not be incorporated with this Order.

Foreshore rights.

16. The Mayor, Aldermen, and Burgesses of the borough of Scarborough acting by the Council of the same borough, may by order under their corporate seal, and with the consent of the Board of Trade, vary or extinguish any regulation, right, or privilege now existing as to the use or enjoyment by any person or persons of so much of the soil and foreshore between low-water mark and the first line of columns or piles as may be occupied by the said pier or promenade and works.

Short title.

17. This Order may be cited as The Scarborough Promenade Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

1.—Rates on Passengers and Promenaders using the Pier or Jetty.

	£	*s.*	*d.*
For every passenger or other person landing on the pier or jetty from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - -	*0*	*0*	*6*
For every person using the pier or jetty for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding	*0*	*0*	*2*
For every bath or sedan chair taken on the pier or jetty, for each time any sum not exceeding - - - - - -	*0*	*0*	*6*
For every perambulator taken on the pier or jetty, for each time any sum not exceeding - - - - - - -	*0*	*0*	*4*
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Scarborough, and using the pier or jetty for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - -	*1*	*0*	*0*

2.—Rates on Passengers Luggage shipped or landed at the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs., not exceeding - - - - - -	*0*	*0*	*2*
And for every 112 lbs. weight or fractional part thereof, in addition, not exceeding - - - - - - -	*0*	*0*	*3*

Scarborough.

3.—Rates on Vessels using the Pier or Jetty.

	£	s.	d.
For every vessel under the burden of 15 tons, per ton - -	0	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	0	6
,, ,, 50 tons ,, 100 tons ,,	0	0	8
,, ,, 100 tons ,, 150 tons ,,	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton -	0	1	0
For every lighter, for each trip - - - - -	0	0	2

4.—Rates for laying Water Mains.

For water supplied from mains on pier, per ton - - -	0	0	6

Pier and Harbour Orders Confirmation.

A

BILL

For confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Ardglass, Blackpool (South), Cowes (West), Dawlish, Dunoon, Foryd, Hopeman, Hornsea, Llandudno, Penzance, Plymouth (Hoe), Redcar, and Scarborough.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Monsell.*)

Ordered, by The House of Commons, *to be Printed*, 9 *May* 1866.

[Bill 148.]

Under 9 *oz.*

Pier and Harbour Orders Confirmation Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

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CLAUSES.

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[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Ardglass, Blackpool (South), Cowes (West), Dawlish, Hopeman, Hornsea, Llandudno, Penzance, Plymouth (Hoe), Redcar, and Scarborough.

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: Preamble. 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act, and set out in the Schedule to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The several Orders set out in the Schedule to this Act shall be and the same are hereby confirmed, and all the Provisions thereof in Confirmation of Orders in Schedule

in Manner and Form as they are set out in the said Schedule shall, from and after the *passing of this Act*, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1866.

The SCHEDULE of Orders.

1. ARDGLASS.—Amendment of Order.
2. BLACKPOOL (South).—Construction of a Pier.
3. COWES (West).—Construction of a Pier.
4. DAWLISH.—Construction of a Pier.
5. HOPEMAN.—Improvement of Harbour.
6. HORNSEA.—Construction of a Pier.
7. LLANDUDNO.—Construction of a Pier.
8. PENZANCE.—Construction of a Pier.
9. PLYMOUTH (Hoe).—Construction of a Pier.
10. REDCAR.—Construction of a Pier.
11. SCARBOROUGH.—Construction of a Pier.

ARDGLASS.

Order for the Amendment of The Ardglass Harbour Order, 1864, and for the Improvement, Maintenance, and Regulation of the Harbour at Ardglass, in the County of Down.

Ardglass.

1. The following clauses of The Ardglass Harbour Order, 1864, in this Order called the Order of 1864, namely, clauses 1 to 18 (both inclusive), 21, and 22, shall be deemed to be expunged therefrom. Amendment of Ardglass Harbour Order, 1864.

2. Aubrey de Vere Beauclerk, of Ardglass Castle in the County of Down, Esquire, his heirs and assigns, or other his successors in estate, shall be the undertakers of the works authorized by this Order. Undertakers.

3. For the purposes of the works authorized by this Order, the undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

4. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order. Lands Clauses Acts incorporated.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the Works in order to prevent injury to navigation, the Undertakers may, in or at the said harbour, and in the lines and on the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the works shown on the deposited plans. Power to make works.

6. The works authorized by this Order comprise the following: Description of works.

The repairing and rebuilding of the pier or quay for a length of 110 feet from the present quay:

The rebuilding and extension of the pier or quay for a further length of 100 feet seawards, and the erection of a beacon on the end of the same:

The deepening of portions of the harbour.

7. The right of the Undertakers to demand and receive rates shall commence from and after the repairing and rebuilding of the pier or quay for a length of 110 feet from the present quay, whether the remaining part of the works authorized by this Order is completed or not, and not sooner; of which repairing and rebuilding a certificate signed by the Chairman of the Quarter Sessions having jurisdiction at the port of Ardglass shall be conclusive evidence, which certificate such Chairman shall give on being satisfied of such repairing and rebuilding. Commencement of rates.

Ardglass.

Application of Rates.

8. The rates received under this Order shall be applicable for the purposes and in the order following:

(1.) In paying the expenses of and connected with the applying for, obtaining, and making of this Order.

(2.) In paying the expenses of the maintenance, management, and regulation of the existing harbour and works, and of the works authorized by this Order.

(3.) And as to the surplus revenue of the harbour, that is to say, so much of the rates as remains after answering the purposes aforesaid, the same shall be applicable by the Undertakers to and for their own proper use and benefit.

Pilotage, &c.

9. The Undertakers shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities.

Incorporation of Order of 1864.

10. The provisions of the Order of 1864 (save the clauses in this Order specified as expunged therefrom) shall remain in full force, and shall be read together with this Order as one Order, the Undertakers being substituted for the Company.

Short Title.

11. This Order may be cited as The Ardglass Harbour Order, 1866, and this Order and the Order of 1864 may be cited together as The Ardglass Harbour Orders, 1864 and 1866.

Blackpool (South).

BLACKPOOL (SOUTH).

Order for the Construction, Maintenance, and Regulation of a Pier at Blackpool, in the County Palatine of Lancaster.

The undertakers.

1. The South Blackpool Jetty Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, (except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement,) are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans, as the Board of Trade require from time to time, before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

5. The

Blackpool (South).

Description of pier.

5. The works authorized by this Order comprise the following:

A promenade pier, jetty, and landing place commencing at a point on the shore near the Wellington Hotel, and opposite Chapel Street, in Blackpool, in the township of Layton-with-Warbrick, and parish of Bispham, in the County Palatine of Lancaster, and extending thence into the sea in a westerly direction a distance of one thousand six hundred feet or thereabouts;

and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

Rates according to Schedule.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule to this Order any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom-house officers exempt from rates.

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following Sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, Sections 16 to 19 and 21 to 23, all inclusive.

Steam engines, diving bells, lighters, &c.

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

14. Part V. of the Harbours and Passing Tolls, &c., Act, 1861, shall apply to the works authorized by this Order.

Blackpool (South.)

Restriction on use of pier.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier or jetty authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company, might in any manner interfere with the use of the pier or jetty for recreation, or for the embarking or landing of passengers.

16. This Order may be cited as The South Blackpool Jetty Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - -	0	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding -	0	0	2
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier or jetty, for each time, any sum not exceeding - - - - -	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Blackpool, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - -	1	0	0

II.—Rates on Passengers Luggage shipped or landed at the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs. - - - - - - -	0	0	2
For every 112 lbs. weight, or fractional part thereof, in addition -	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons, per ton - -	0	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton - - - - - - - -	0	0	6
For every vessel of the burden of 50 tons and under 100 tons, per ton - - - - - - -	0	0	8
For every vessel of the burden of 100 tons and under 150 tons, per ton - - - - - - -	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton -	0	1	0
For every lighter, for each trip, per ton - - - -	0	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton - - - - - -	0	0	6

COWES (WEST).

Order for the Construction, Maintenance, and Regulation of a Pier at West Cowes in the Isle of Wight and County of Southampton.

Cowes (West).

The undertakers.

1. The West Cowes Pier Company (Limited), in this Order called the Company, shall be the Undertakers of the Works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the Works authorized by this Order, the Company may from time to time by agreement enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed Works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels, and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the Works shown on the deposited plans.

Description of pier.

5. The Works authorized by this Order comprise the following:—

The construction of a pier commencing at or near a point at the back of Gloucester House in High Street, West Cowes, in the Parish of Northwood, in the Isle of Wight and County of Southampton, and extending thence into the sea, in a north-easterly direction, for a distance of 350 feet or thereabouts, but not beyond low-water mark at ordinary spring tides:

with a landing place and all necessary works, approaches, and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

Pier to be open.

6. The pier shall be constructed and maintained of open timber or iron work, and shall not be at any time solidified to any extent, except with the previous approval in writing of the Board of Trade.

Vessels not to be moored at pier.

7. Vessels or boats shall not be allowed to be moored alongside of the pier or to remain there longer than is necessary for landing or embarking passengers or goods.

Power to take rates according to Schedule to this Order.

8. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule hereto, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

9. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized

Cowes (West).

rized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

10. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom House Officers exempt from rates.

11. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier, by land and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

12. The Company shall not purchase, for extraordinary purposes, land exceeding in extent in the whole three acres.

Meters and weighers.

13. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

14. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, and twenty-one to twenty-three, all inclusive.

Steam engines, diving bells, lighters, &c.

15. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

16. Part V. of The Harbours and Passing Tolls, &c., Act, 1861, shall apply to the Works authorized by this Order.

Restriction on use of pier.

17. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers.

Saving for Local Board.

18. Nothing in this Order shall take away, abridge, or prejudicially affect any right, power, authority, or privilege vested in, exercised, or enjoyed by the Local Board of Health for the town of West Cowes as the Commissioners for executing such parts of the Local Act of the Fifty-sixth year of the reign of King George the Third, Chapter Twenty-five, as remain unrepealed.

Short title

19. This Order may be cited as The West Cowes Pier Order, 1866.

SCHEDULE

SCHEDULE to which the foregoing ORDER refers.

Cowes (West).

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Ditto, per barrel	*0*	*6*
Biscuit or bread, per cwt.	*0*	*3*
Blubber, per tun of 252 gallons	*3*	*0*
Bones and bone dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*1*	*6*
Butter and lard, per barrel	*0*	*6*
Ditto, per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*
Canvas, per bolt	*0*	*1*
Casks (empty), not being returned packages, per puncheon	*0*	*3*
Other casks in proportion.		
Cattle:—		
Bulls, cows, and oxen, each	*3*	*0*
Calves, each	*1*	*0*
Horses, each	*4*	*0*
Pigs, each	*0*	*6*
Sheep, each	*1*	*0*
Chalk, per ton	*1*	*0*
Cheese, per cwt	*0*	*4*
Chimney pots, each	*0*	*3*
Clay, per ton	*1*	*0*
Cloth, haberdashery, &c., per package not exceeding cwt	*0*	*6*
Carriages:—		
Chaises and other four-wheeled carriages, each	*7*	*6*
Gigs, carts and other two-wheeled carriages, each	*5*	*0*
Hand-carts and perambulators, each	*1*	*0*
Coals, per ton	*1*	*0*
Copper, per ton	*3*	*0*

Cowes (West).

	s.	d.
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
Ditto, fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
Ditto, per small crate or case	1	0
Ditto, per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
Ditto, per truss	0	2
Hemp, per ton	2	0
Herrings (fresh), per 1,000	0	3
Ditto (cured), per barrel	0	3
Hides :—		
Ox, cow, or horse (wet or dry), each	0	2
Iron :—		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather, tanned and dressed, per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure (not enumerated), per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Ditto, under 10 inches	3	0
Meat (fresh), per cwt.	0	6
Milk, per gallon	0	0½
Musical instruments, per cube foot	0	1
Nets, per 5 cube feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6

		s.	*d.*	*Cowes (West).*
	Potatoes, per cwt.	*0*	*2*	
	Poultry and game, per dozen	*0*	*4*	
	Rags and old rope, per ton	*2*	*0*	
	Sails, per cwt.	*0*	*6*	
5	Salt, per cwt.	*0*	*1*	
	Sand, per ton	*1*	*0*	
	Shrimp baskets, each	*0*	*2*	
	Skins:—Calf, goat, sheep, lamb, or dog, per dozen	*0*	*6*	
	Slates, per ton, of 24 cubic feet	*2*	*0*	
10	Spirits (Foreign and British), per hogshead	*1*	*6*	
	Ditto ditto, per gallon	*0*	*1*	
	Stones, per ton, of 16 cubic feet	*1*	*6*	
	Steel, per ton	*3*	*0*	
	Sugar, per cwt.	*0*	*3*	
15	Tallow, soap, and candles, per cwt.	*0*	*3*	
	Tea, per chest	*1*	*0*	
	Tiles, per 1,000	*1*	*6*	
	Tin and zinc, per ton	*3*	*0*	
	Tobacco, per cwt.	*0*	*6*	
20	Turbot, per score	*0*	*3*	
	Turnips, per ton	*0*	*6*	
	Turpentine and varnish, per barrel	*0*	*6*	
	Turtle, each	*2*	*6*	
	Vegetables (not enumerated), per cwt.	*0*	*4*	
25	Vinegar, per hogshead	*0*	*6*	
	Vitriol, per carboy	*1*	*0*	
	Water, per cask	*0*	*3*	
	Wine, per hogshead	*1*	*0*	
	Ditto, bottled, per dozen bottles	*0*	*2*	
30	Wood:—			
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	*1*	*6*	
	Oak or wainscot, per load of 50 feet	*2*	*0*	
	Firewood, per 216 cubic feet fathom	*1*	*6*	
	Laths and lathwood, per fathom of 216 cubic feet	*2*	*6*	
35	Handspikes, per 120	*3*	*0*	
	Oars, per 120	*5*	*0*	
	Spars under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	*5*	*0*	
	Ditto, $2\frac{1}{2}$ inches in diameter and under, per 120	*4*	*0*	
40	Ditto, 22 feet in length and upwards, and not exceeding 4 inches diameter, per 120	*9*	*0*	
	Ditto, above 4 and under 6 inches in diameter, per 120	*14*	*0*	
	Spokes of wheels, not exceeding 2 feet in length, per 120	*2*	*0*	
	Ditto, exceeding 2 feet in length, per ton	*3*	*0*	
45	Trenails, per 1,000	*2*	*6*	
	Wedges, per 1,000	*2*	*6*	
	Pipe staves, and others in proportion, per 120	*2*	*6*	
	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	*2*	*0*	
	Wool, per cwt.	*0*	*4*	
50	Yarn, per cwt.	*0*	*2*	

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods, per cube foot	*0*	*1*	
Heavy goods, per ton	*2*	*0*	

In charging the rates on goods, the gross weight or measurement of all goods 55 to be taken, and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

Cowes (West).

III.—Rates for use of Cranes, Weighing Machines, and Sheds.

1st, Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d, Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2

3d, Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons	10	0

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person landing on the Pier from, or embarking from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding	0	6
For every person using the Pier for the purpose of walking for exercise, pleasure, or any other purpose except for embarking or disembarking, for each time any sum not exceeding	0	4
For every Bath or sedan chair taken on the Pier, for each time any sum not exceeding	0	6
For every perambulator taken on the Pier, for each time any sum not exceeding	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Northwood, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

VI.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

DAWLISH.

Dawlish.

Order for the Construction, Maintenance, and Regulation of a Pier at Dawlish, in the County of Devon.

The undertakers.

1. The Dawlish Pier Company (Limited), in this Order called the Company, shall be the undertakers of the Works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the Works authorized by this Order, the Company may from time to time by agreement enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed Works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the Works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the Works shown on the deposited plans.

Description of pier.

5. The Works authorized by this Order comprise the following:—

A Pier at Dawlish, in the County of Devon (with a landing-place and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes), commencing at a point on the sea wall distant about 80 feet westward of the western end of the platform of the Dawlish Railway station, and extending from that point into the sea in a southerly direction for a distance of 800 feet or thereabouts, with lateral limits of deviation extending a distance of 5 chains on each side of the proposed Pier, throughout the whole length thereof.

Power to take rates according to Schedule to this Order.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule hereto any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the Pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the Pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by

Dawlish.

any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom House Officers exempt from rates.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier, by land and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase, for extraordinary purposes, land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the Pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen and twenty-one to twenty-three, all inclusive.

Steam engines, diving bells, lighters, &c.

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Works authorized by this Order.

Restriction on use of pier.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the Pier for recreation, or for the embarking or landing of passengers.

Short title.

16. This Order may be cited as The Dawlish Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats, entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

		s.	*d.*
	Ale, beer, and porter, per hogshead	0	6
	Ale (bottled), per barrel	0	4
5	Ditto, per dozen bottles	0	1
	Anchors, per cwt.	0	9
	Anchor stock, per foot run	0	2
	Bark, per ton	2	0
	Bedding, per bundle	0	3
10	Beef or pork, per cwt.	0	3
	Ditto, per barrel	0	6
	Biscuit or bread, per cwt.	0	3
	Blubber, per tun of 252 gallons	3	0
	Bones and bone dust, per ton	1	6
15	Bottles, per gross	0	9
	Bricks, per 1,000	1	6
	Butter and lard, per barrel	0	6
	Ditto, per firkin	0	3
	Cables, iron or hempen, per ton	3	0
20	Canvas, per bolt	0	1
	Casks (empty), not being returned packages, per puncheon	0	3
	Other casks in proportion.		
	Cattle:		
	Bulls, cows, and oxen, each	3	0
25	Calves, each	1	0
	Horses, each	4	0
	Pigs, each	0	6
	Sheep, each	1	0
	Chalk, per ton	1	0
30	Cheese, per cwt.	0	4
	Chimney pots, each	0	3
	Clay, per ton	1	0
	Cloth, haberdashery, &c., per package not exceeding cwt.	0	6
	Carriages:—		
35	Chaises and other four-wheeled carriages, each	7	6
	Gigs, carts, and other two-wheeled carriages, each	5	0
	Hand-carts and perambulators, each	1	0
	Coals, per ton	1	0
	Copper, per ton	3	0
40	Cordage, per cwt.	0	3
	Cork, per cwt.	0	6
	Corpses, each	20	0
	Crystal, per box or package	0	6
	Dogs, each	0	6
45	Drugs (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in casks, hampers, or boxes), per foot	0	2
	Earthenware (in crates), per foot	0	1
	Eggs, per box	0	3
	Fish (dried and salted), per cwt.	0	3
50	Ditto, fresh (not enumerated), per cwt.	0	2
	Flax, per ton	2	0
	Flour and meal, per sack	0	4
	Ditto, per barrel	0	3
	Fruit, per bushel or sieve	0	4
55	Furniture (household), per 5 cubic feet	0	4
	Glass, per large crate	1	6
	Ditto, per small crate or case	1	0
	Ditto, per box	0	6
	Grains and seeds, per quarter	0	6

		s.	*d.*	
Dawlish.	Groceries (not enumerated)	*0*	*6*	
——	Guano, per ton	*1*	*6*	
	Gunpowder, per barrel or keg	*0*	*6*	
	Hams, bacon, or tongues, per cwt.	*0*	*4*	5
	Hardware, per ton	*2*	*6*	
	Hares and rabbits, per dozen	*0*	*4*	
	Hay, per ton	*1*	*6*	
	Ditto, per truss	*0*	*2*	
	Hemp, per ton	*2*	*0*	10
	Herrings (fresh), per 1,000	*0*	*3*	
	Ditto (cured), per barrel	*0*	*3*	
	Hides :—			
	Ox, cow, or horse (wet or dry), each	*0*	*2*	
	Iron :—			15
	Bar, bolt, rod, and shots, per ton	*1*	*6*	
	Pig and old, per ton	*1*	*0*	
	Manufactured, per ton	*2*	*6*	
	Pots, each	*0*	*1*	
	Kelp, per ton	*2*	*0*	20
	Lead, per ton	*2*	*6*	
	Leather, tanned and dressed, per cwt.	*0*	*3*	
	Lime, per 28 bushels	*1*	*4*	
	Limestone, per ton	*1*	*0*	
	Machinery, per ton	*2*	*6*	25
	Manure (not enumerated), per ton	*1*	*0*	
	Masts and spars, 10 inches in diameter and upwards, each	*4*	*6*	
	Ditto, under 10 inches	*3*	*0*	
	Meat (fresh), per cwt.	*0*	*6*	
	Milk, per gallon	*0*	*0½*	30
	Musical instruments, per cube foot	*0*	*1*	
	Nets, per 5 cube feet	*0*	*4*	
	Oakum, per cwt.	*0*	*2*	
	Oils, per tun	*2*	*0*	
	Oilcake, per ton	*2*	*0*	35
	Oranges, and lemons, per box	*0*	*6*	
	Ores, per ton	*1*	*0*	
	Oysters, per bushel	*0*	*3*	
	Paint, per cwt.	*0*	*4*	
	Pitch and tar, per barrel	*0*	*6*	40
	Potatoes, per cwt.	*0*	*2*	
	Poultry and game, per dozen	*0*	*4*	
	Rags and old rope, per ton	*2*	*0*	
	Sails, per cwt.	*0*	*6*	
	Salt, per cwt.	*0*	*1*	45
	Sand, per ton	*1*	*0*	
	Shrimp baskets, each	*0*	*2*	
	Skins :—Calf, goat, sheep, lamb, or dog, per dozen	*0*	*6*	
	Slates, per ton, of 24 cubic feet	*2*	*0*	
	Spirits (Foreign and British), per hogshead	*1*	*0*	50
	Ditto, ditto, per gallon	*0*	*1*	
	Stones, per ton, of 16 cubic feet	*1*	*6*	
	Steel, per ton	*3*	*0*	
	Sugar, per cwt	*0*	*3*	
	Tallow, soap, and candles, per cwt.	*0*	*3*	55
	Tea, per chest	*1*	*0*	
	Tiles, per 1,000	*1*	*6*	
	Tin and zinc, per ton	*3*	*0*	
	Tobacco, per cwt.	*0*	*6*	

		s.	d.
	Turbot, per score	0	3
	Turnips, per ton	0	6
	Turpentine and varnish, per barrel	0	6
	Turtle, each	2	6
5	Vegetables (not enumerated), per cwt.	0	4
	Vinegar, per hogshead	0	6
	Vitriol, per carboy	1	0
	Water, per cask	0	3
	Wine, per hogshead	1	0
10	Ditto, bottled, per dozen bottles	0	2
	Wood :—		
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
	Oak or wainscot, per load of 50 feet	2	0
15	Firewood, per 216 cubic feet fathom	1	6
	Laths and lathwood, per fathom of 216 cubic feet	2	6
	Handspikes, per 120	3	0
	Oars, per 120	5	0
	Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in		
20	diameter, per 120	5	0
	Ditto, $2\frac{1}{2}$ inches in diameter and under, per 120	4	0
	Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
	Ditto, above 4 and under 6 inches in diameter, per 120	14	0
25	Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
	Ditto, exceeding 2 feet in length, per 120	3	0
	Trenails, per 1,000	2	6
	Wedges, per 1,000	2	6
	Pipe staves, and others in proportion, per 120	2	6
30	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
	Wool, per cwt.	0	4
	Yarn, per cwt.	0	2

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ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

	Light goods, per cube foot	0	1
35	Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

40 1*st*, *Rates of Craneage.*

		s.	d.
	All goods or packages not exceeding 1 ton	0	4
	Exceeding 1 ton and not exceeding 2 tons	0	6
	„ 2 tons „ 3 tons	0	8
45	„ 3 tons „ 4 tons	0	10
	„ 4 tons „ 5 tons	1	0
	„ 5 tons „ 6 tons	1	2
	„ 6 tons „ 7 tons	1	4
	„ 7 tons „ 8 tons	1	6
50	„ 8 tons „ 9 tons	1	10
	„ 9 tons „ 10 tons	2	4
	„ 10 tons	3	6

Dawlish.

2d, Weighing Machines.

	s.	*d.*
For goods weighed, for each ton or part of a ton - - -	*0*	*2*

3d, Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.			5
For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package - - -	*0*	*2*	10

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons - - - - - -	*10*	*0*

V.—Rates on Passengers and Promenaders using the Pier.

For every passenger or other person who shall land on the Pier from, or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time any sum not exceeding - -	*0*	*6*	15
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose except for embarking or disembarking, for each and every time any sum not exceeding	*0*	*4*	
For every Bath or sedan chair taken on the Pier, for each and every time not exceeding - - - - - - - -	*0*	*6*	20
For every perambulator - - - - - - -	*0*	*2*	
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Dawlish, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	*20*	*0*	25

VI.—Rates on Passengers Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - - -	*0*	*2*	
Over 28 lbs. and not exceeding 84 lbs. - - - -	*0*	*4*	30
Over 84 lbs. and not exceeding 112 lbs. - - -	*0*	*5*	
Over 112 lbs. and not exceeding 140 lbs. - - - -	*0*	*6*	
Over 140 lbs. and not exceeding 196 lbs. - - - -	*0*	*7*	
Over 196 lbs. and not exceeding 2 cwt. - - - -	*0*	*8*	
And for every cwt. beyond - - - - -	*0*	*4*	35
And for every 20 lbs. weight in addition - - - -	*0*	*1*	

HOPEMAN.

HOPEMAN.

Hopeman.

Order for the Improvement and Regulation of the Harbour of Hopeman, in the Parish of Duffus and County of Elgin.

Undertakers.

1. Thomas Duff Gordon Duff, Esquire, and his successors, owners of the harbour of Hopeman for the time being, shall be the Undertakers for carrying this Order into execution.

Powers to take lands by agreement.

2. For the purposes of the works authorized by this Order, the Undertakers may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plan deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts

3. The Lands Clauses Consolidation (Scotland) Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order.

Power to execute works.

4. Subject to the provisions of this Order, and to the provisions for notice to the Board of Trade, contained in the Act of the 46th year of the reign of King George the Third, chapter 153, as amended by The Harbours Transfer Act, 1862, the Undertakers may maintain and improve the existing harbour and works, and may also within the limits of this Order execute and maintain all such other works, buildings, sheds, warehouses, wharves, jetties, and conveniences as are from time to time necessary for the improvement of the harbour, or the accommodation of the shipping resorting thereto.

Limits of harbour.

5. The limits of this Order shall be as follows, namely :—

Commencing at a point on the street leading from the village of Hopeman to the harbour, at a distance of ten feet from the north-east corner of the Hopeman Steam Mills, and proceeding in a westerly direction therefrom for a distance of three hundred and sixty yards, to a point on the shore about sixty-five yards, measuring at right angles, from high-water mark, and from that point, in a northerly direction, seawards, a distance of four hundred and sixty-five yards, thence eastwards a distance of six hundred and sixty yards, thence shorewards in a southerly direction for a distance of four hundred and sixty-five yards to a point on the shore three hundred yards east of the point first described, and thence westwards for a distance of three hundred yards to that point.

Power to levy dues according to schedule.

6. Subject and according to the provisions of this Order, the Undertakers may demand and receive in respect of vessels, passengers, goods, fish, animals, and things described in the Schedule to this Order, any dues not exceeding the several sums therein specified.

Power to reduce dues.

7. The Board of Trade, at any time on an application in writing from six or more of the owners of vessels or boats resorting to the harbour, and after hearing the Undertakers, may, if the dues appear to the Board of Trade excessive

Hopeman.

sive or disproportionate to the benefits conferred, reduce the same, with power to the Board of Trade to raise them again to not exceeding the maximum amounts specified in the Schedule, and so *toties quoties*.

Recovery of dues.

8. Dues on a vessel may be recovered by action in any Court of competent jurisdiction from the owner or any part-owner or skipper thereof, or from the consignee or owner of the goods therein; and this provision shall be without prejudice to the powers of the undertakers under section 44 of The Harbours, Docks, and Piers Clauses Act, 1847.

Publication of Schedule.

9. The Undertakers shall keep a copy of the Schedule to this Order, printed in large letters and figures, exhibited in the office of the collector of the dues, and accessible to all persons at all times while the office is in use for business; and they shall also at all times keep printed copies of the Schedule and sell the same to all persons desiring to buy the same at a price not exceeding one penny a copy.

Certain fishing vessels under stress of weather exempt from dues.

10. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the harbour of Hopeman, and not breaking bulk while making use thereof, be exempt from dues leviable under this Order.

Exemption of Customs Officers.

11. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the wharf, harbour, and works by land, and with their vessels and otherwise, without payment.

Lease of harbour.

12. The Undertakers shall not grant a lease or tack of the harbour or of the dues leviable under this Order for a longer period than three years at a time.

Application of receipts.

13. The dues received under this Order shall be applicable for the purposes and in the order following, and not otherwise:—

1. In paying the costs of and connected with the preparation and making of this Order:
2. In paying the expenses of the maintenance, repair, improvement, management, and regulation of the existing harbour and works:
3. In payment of the interest of any money borrowed under this Order, and in or towards repayment of the principal of such money:
4. In the execution and maintenance of such other works, buildings, sheds, warehouses, wharves, jetties, and conveniences, as are authorized by this Order:
5. As to the surplus revenue of the harbour, if any, after providing for the purposes aforesaid, the same shall be applicable by the Undertakers to and for their own proper use and benefit.

Power to borrow.

14. The Undertakers may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of nine thousand pounds, on the security of the dues authorized by this Order; or they may accept and take from any bank or banking company credit to such amount as they deem expedient, not exceeding in the whole the said sum of nine thousand pounds, on a cash account

account to be opened and kept in the name of the Undertakers, according to the usage of bankers in Scotland, and they may assign the dues hereby authorized, in security of the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively, by dispositions and assignations, which dispositions and assignations, and all transfers thereof, may be in the form as near as may be in the Schedule (B) to the Burgh Harbours (Scotland) Act, 1853, annexed, and shall be recorded in the General Register of Sasines or in the Particular Register of Sasines for the county of Elgin, and have preference according to the priority of their registration therein, except in so far as a *pari passu* preference may by the dispositions and assignations have been established, among all or some of them, as being assignations of parts of one capital sum, which the Undertakers may by a resolution of a specified date have determined to borrow in parts. *Hopeman.*

15. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order. Money to be applied to purposes of Order.

16. The Undertakers shall regularly keep down the interest accruing on any money borrowed under this Order, and shall not allow any such interest to be in arrear for a longer period than three months at any one time, and shall repay the money borrowed within 50 years from the time of borrowing. Undertakers to keep down interest and pay off principal.

17. If within two months after the interest on any mortgages granted by the Undertakers has become due, or after the period prescribed for the payment of the principal sums in such mortgages has expired, such interest or principal (as the case may be) is not paid, the holders of such mortgages may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, require the appointment of a judicial factor, by an application to be made as herein-after provided. Arrears of interest, &c., may be enforced by the appointment of a judicial factor.

18. Every application for a judicial factor under the provisions of this Order shall be made to the Sheriff or Sheriff Substitute of the county of Elgin; on any such application the said Sheriff or Sheriff Substitute may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the dues, until all the arrears of interest or of principal, as the case may be, then due on the outstanding mortgages, together with all costs, including the charges of receiving the said rates, be fully paid; on such appointment being made, all the dues shall be paid to and received by the person so appointed, and the money so received shall be so much money received by or to the use of the mortgagees, and so soon as the full amount of any interest or principal in arrear, and costs, has been so received, the power of such judicial factor shall cease: Provided always, that such judicial factor shall distribute among all the mortgagees to whom interest or principal shall be in arrear the rates and other monies which shall so come into his hands, having respect in such distribution to the priorities, if any, of such mortgages. Appointment of a judicial factor.

19. The amount to authorize the application for appointment of a judicial factor shall be one thousand pounds in one or more mortgages. Amount to authorize application for judicial factor.

20. Notwithstanding anything in The General Pier and Harbour Act, 1861, Amendment Act contained, the following provisions of The Harbours, Docks, and Exclusion of portions of

Hopeman.

and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, 19, 25, 26, and 47.

Harbours Clauses Act, 1847.

Meters and weighers.

21. The Undertakers shall have the appointment of meters and weighers within the harbour.

Steam vessels, lighters, &c.

22. The Undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for the purposes of the harbour, and may demand and receive such sums for the use of the same as they think reasonable.

Pilotage, lights, buoys, and beacons.

23. The Undertakers shall be a pilotage authority, and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities.

Short title.

24. This Order may be cited as The Hopeman Harbour Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Dues on Vessels entering or using the Harbour.

	s.	*d.*
For every vessel wholly or partly decked:—		
If under 20 tons burden - - - per register ton	*0*	*4*
If 20 tons burden or upwards - - per register ton	*0*	*6*
All open boats engaged in the herring fishery at the port, to pay each, at the commencement of the summer fishing season, in full of tonnage duty, for such season - - - - -	*10*	*0*
All open boats loading or discharging herrings or other fresh fish, not engaged to fish at the port for the summer season, shall each pay for every time they so load or discharge - - - -	*1*	*0*
All open boats entering said harbour, wind-bound or for shelter, having no cargo, to pay each time - - - -	*0*	*6*
Ditto, ditto, having a cargo but not discharging, to pay each time -	*0*	*9*
All other boats loading or discharging, for every time - - -	*1*	*6*
All boats engaged in the white fishing for the season, to commence 1st October, shall pay annually in advance - - - -	*15*	*0*

II.—Stance Dues.

For every herring boat hauled up in the harbour for wintering— yearly, per boat - - - - - - - - - -	*4*	*0*

III.—Dues for Passengers.

For every passenger landing from or embarking in any vessel or boat in the harbour - - - - - - - - - -	*0*	*3½*

Hopeman.

IV.—Dues on Animals and Goods shipped or unshipped, received or delivered in the Harbour.

		s.	*d.*
	Ballast - - - - - - - - - per ton	*0*	*1*
	Boxes and casks, empty, exclusive of empties returned - - each	*0*	*1*
	Ditto, ditto, returned empty within 3 months after arriving full - Exempt		
	Ditto, ditto, if returned empty after 3 months - - - each	*0*	*0½*
	Bricks, tiles, and slates, all kinds - - - per 1,000	*1*	*6*
	Cake and feeding stuffs for cattle, all kinds - - - per ton	*1*	*0*
	Cattle and other live animals, viz.:—		
	Horses, asses, mules, bulls, cows, and oxen - - - each	*1*	*0*
	Calves, sheep, and pigs - - - - - - each	*0*	*1½*
	Lambs and other live animals, except poultry - - - each	*0*	*1*
	Live poultry - - - - - - per dozen	*0*	*3*
	Coals, all kinds - - - - - - - per ton	*0*	*6*
	Corn, all kinds - - - - - - per quarter	*0*	*2*
	Fish, viz.:—Salmon, herring, and white, all kinds, fresh, cured, salted, and dry - - - - - - - - per cwt.	*0*	*1*
	Or, in the Collector's option - - - per cran or barrel	*0*	*2½*
	Flour and meal - - - - - - - per cwt.	*0*	*1*
	Guano, bones, and other extraneous, artificial, light, or portable manures, per ton	*1*	*0*
	Hay and straw - - - - - - - - per ton	*0*	*8*
	Lime - - - - - - - - - per ton	*0*	*5*
	Or, in the Collector's option - - - per 8 bushels	*0*	*1*
	Luggage of each passenger arriving or leaving, if more than 2 barrels bulk - - - - - - - per barrel bulk	*0*	*2*
	Manure, common - - - - - - - - per ton	*0*	*2*
	Salt - - - - - - - - - per ton	*1*	*0*
	Shellfish, all kinds (bait for fishing exempted) - - per cwt.	*0*	*1*
	Spirits and wine, all kinds - - - - - - per gallon	*0*	*0½*
	Stones, undressed - - - - - - - per ton	*0*	*1*
	Ditto, dressed - - - - - - - - per ton	*0*	*2*
	Ditto, paving - - - - - - - - per ton	*0*	*4*
	Tea - - - - - - - - - per 80 lbs.	*0*	*5*
	Timber, unwrought, all kinds, 2 per cent. of value, or at Collector's option, per load of 50 cubic feet - - - - -	*0*	*6*
	All other goods, articles, and effects not enumerated:—		
	By weight - - - - - - - - per cwt.	*0*	*1¼*
	Or, in the Collector's option, by measurement - per barrel bulk	*0*	*3*

In charging the rates on goods, the gross weight or measurement to be taken, and for any less weight or measurement than those above specified, a proportion of the respective rates shall be charged, not being less than *1d.* for any one box, parcel, or package.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. is to be rated as a barrel bulk.

V.—Dues for the Use of Sheds, Cranes, Weighing Machines, and Hawsers.

1*st*, *Sheds.*

For each ton and each 8 barrels bulk of goods which shall remain in any shed, or on the pier, for any longer time than 48 hours, for the first day, or part of a day, *3d.*; and for each day thereafter, *1½d.*

2*d*, *Use of Cranes.*

For all goods raised or lowered - - - - - per ton	*0*	*2*

Hopeman.

3d, Use of Weighing Machines.

	s.	d.
For coals, lime, and timber - - - - - per ton	0	2
For hay and salt - - - - - per load	0	6
For all other goods and commodities - - - - per ton	0	4

4th, Hawsers.

For every vessel, under the burden of 100 tons, using any hawser, the property of the undertakers, *6d.* per vessel; and for every vessel of the burden of 100 tons or upwards, *1s.* per vessel; each time of using.

Hornsea.

HORNSEA.

Order for the Construction, Maintenance, and Regulation of a Pier at Hornsea, in the East Riding of the County of York.

The undertakers.

1. The Hornsea Pier Company (Limited), hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier, jetty, and landing place, with all proper works, tramways, approaches, and other conveniences connected therewith, for promenade, and for the embarking and landing of passengers, fish, cattle, goods, and merchandise, and for the safe keeping of boats and other purposes, commencing at or near the northern extremity of an arable field in the township and parish of Hornsea, in the East Riding of the county of York, called Hodgson's Close, the property of and in the occupation of Joseph Armytage Wade, Esq., lying between the terminus of the Hull and Hornsea Railway, at Hornsea, and the sea, and extending seaward in an easterly direction a distance of 1,200 feet or thereabouts.

6. The

6. The Company may demand and receive in respect of the persons, vessels, fish, cattle, goods, and things described in the Schedule to this Order any sums not exceeding the rates in that Schedule specified.

Power to take rates according to Schedule to Order.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Certain fishing vessels under stress of weather exempt from rates.

8. The Company may grant to passengers and promenaders or others pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Company may contract with persons for the use of the pier.

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Custom house officers exempt from rates.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Lands for extraordinary purposes.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Meters and weighers.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 and 21 to 23, all inclusive.

Parts of Harbours, &c. Act, 1847, excepted.

13. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier, jetty, or landing place authorized by this Order any sheep, cattle, or merchandise, or to ship or unship anything which in the judgment of the Company might in any manner interfere with the use of the pier, jetty, or landing place for recreation, or for the embarking or landing of passengers.

Restriction on use of pier.

14. This Order may be cited as The Hornsea Pier Order, 1866.

Short title.

Hornsea.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of, any ship, vessel, packet, or passage boat, for each time any sum not exceeding -	0	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding - - - - - - - -	0	0	2
For every bath or sedan chair taken on the pier, for each time any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier, for each time any sum not exceeding - - - - - - -	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Hornsea, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - -	1	0	0

II.—Rates on Passengers Luggage landed or shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs. - - - - - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - -	0	4
„ 84 lbs. „ 112 lbs. - - - -	0	5
„ 112 lbs. „ 140 lbs. - - - -	0	6
„ 140 lbs. „ 196 lbs. - - - -	0	7
„ 196 lbs. „ 2 cwt. - - - -	0	8
And for every 20 lbs. weight in addition - - - -	0	1

III.—Rates on Vessels using the Pier.

For every vessel under 15 tons, per ton - - - -	0	4
For every vessel of 15 tons and under 50 tons, per ton - - -	0	6
„ „ 50 tons „ 100 tons, „ -	0	8
„ „ 100 tons „ 150 tons, „ -	0	10
„ „ 150 tons and upwards, per ton -	1	0
All lighters for each trip, per ton - - - - -	0	2
All boats entirely open landing or taking on board goods, each -	0	6

IV.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead - - - - -	0	6
Ale, bottled, per barrel - - - - - -	0	4
Ditto, per dozen bottles - - - - - -	0	1
Anchors, per cwt. - - - - - - -	0	9
Anchor stock, per foot run - - - - - -	0	2
Bark, per ton - - - - - - -	2	0
Bedding, per bundle - - - - - -	0	3
Beef or pork, per cwt. - - - - - -	0	3
Beef or pork, per barrel - - - - - -	0	6
Biscuits or bread, per cwt. - - - - - -	0	3
Blubber, per tun of 252 gallons - - - -	3	0

		s.	d.	*Hornsea.*
	Bones and bone dust, per ton	1	6	
	Bottles, per gross	0	9	
	Bricks, per 1,000	1	6	
5	Butter and lard, per barrel	0	6	
	Ditto, per firkin	0	3	
	Cables, iron or hempen, per ton	3	0	
	Canvas, per bolt	0	1	
	Carriages:			
10	Chaises and other four-wheeled carriages, each	7	6	
	Gigs, carts, and other two-wheeled carriages, each	5	0	
	Hand carts and perambulators, each	1	0	
	Casks (empty), not being returned packages, per puncheon	0	3	
	Other casks in proportion.			
15	Cattle:			
	Bulls, cows, and oxen, each	3	0	
	Calves, each	1	0	
	Horses, each	4	0	
	Pigs, each	0	6	
20	Sheep, each	0	6	
	Chalk, per ton	1	0	
	Cheese, per cwt.	0	4	
	Chimney pots, each	0	3	
	Clay, per ton	1	0	
25	Cloth, haberdashery, &c., per package not exceeding one cwt.	0	6	
	Coals, per ton	1	0	
	Copper, per ton	3	0	
	Cordage, per cwt.	0	3	
	Corks, per cwt.	0	6	
30	Corpses, each	20	0	
	Crystal, per box or package	0	6	
	Dogs, each	0	6	
	Drugs (in casks, hampers, or boxes), per foot	0	2	
	Earthenware (in crates), per foot	0	1	
35	Eggs, per box	2	0	
	Fish (dried and salted), per cwt.	0	3	
	Ditto, fresh not enumerated	0	2	
	Flax, per ton	2	0	
	Flour and meal, per sack	0	4	
40	Ditto, per barrel	0	3	
	Furniture (household), per 5 cubic feet	0	4	
	Fruit, per bushel or sieve	0	4	
	Glass, per large crate	1	6	
	Ditto, per small crate or case	1	0	
45	Ditto, per box	0	6	
	Grains and seeds, per quarter	0	6	
	Groceries, not enumerated, per cwt.	0	6	
	Guano, per ton	1	6	
	Gunpowder, per barrel or keg	0	6	
50	Hams, bacon, or tongues, per cwt.	0	4	
	Hardware, per ton	2	6	
	Hares and rabbits, per dozen	0	4	
	Hay, per ton	1	6	
	Ditto, per truss	0	2	
55	Hemp, per ton	2	0	
	Herrings (fresh), per 1,000	0	3	
	Ditto (cured), per barrel	0	3	
	Hides:			
	Ox, cow, or horse (wet or dry), each	0	2	

Hornsea.

	s.	d.	
Iron:			
Bar, bolt, rod, and shots, per ton	1	6	
Pig and old, per ton	1	0	
Manufactured, per ton	2	6	
Pots, each	0	1	5
Kelp, per ton	2	0	
Lead, per ton	2	6	
Leather (tanned and dressed), per cwt.	0	4	
Lime, per 28 bushels	1	4	
Limestone, per ton	1	0	10
Machinery, per ton	2	6	
Manure (not enumerated), per ton	1	0	
Masts and spars, ten inches in diameter and upwards, each	4	6	
Ditto, under ten inches, each	3	0	
Meat (fresh), per cwt.	0	6	15
Milk, per gallon	0	0½	
Musical instruments, per cubic foot	0	1	
Nets, per 5 cubic foot	0	4	
Oakum, per cwt.	0	2	
Oils, per tun	2	0	20
Oilcake, per ton	2	0	
Oranges and lemons, per box	0	6	
Ores, per ton	1	0	
Oysters, per bushel	0	3	
Paint, per cwt.	0	4	25
Pitch and tar, per barrel	0	6	
Potatoes, per cwt.	0	2	
Poultry and game, per dozen	0	4	
Rags and old rope, per ton	2	0	
Sails, per cwt.	0	6	30
Salt, per cwt.	0	1	
Sand, per ton	1	0	
Shrimp baskets, each	0	2	
Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6	
Slates, per ton of 24 cubic feet	2	0	35
Spirits (Foreign or British), per hogshead	1	0	
Ditto, per gallon	0	1	
Stones, per ton of 16 cubic feet	1	6	
Steel, per ton	3	0	
Sugar, per cwt.	0	3	40
Tallow, soap, and candles, per cwt.	0	3	
Tea, per chest	1	0	
Tiles, per thousand	1	6	
Tin and zinc, per ton	3	0	
Tobacco, per cwt.	0	6	45
Turbot, per score	0	3	
Turnips, per ton	0	6	
Turpentine and varnish, per barrel	0	6	
Turtle, each	2	6	
Vegetables (not enumerated), per cwt.	0	4	50
Vinegar, per hogshead	0	6	
Vitriol, per carboy	0	1	
Water, per cask	0	3	
Wine, per hogshead	1	0	
Ditto (bottled), per dozen bottles	0	2	55
Wood:			
Fir, pine, and other descriptions not enumerated, per load of fifty feet	1	6	
Oak or wainscot, per load of fifty feet	2	0	

		s.	d.
	Wood—*continued.*		
	Firewood, per 216 cubic feet fathom	*1*	*6*
	Laths and lathwood, per fathom of 216 cubic feet	*2*	*6*
5	Handspikes, per 120	*3*	*0*
	Oars, per 120	*5*	*0*
	Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	*5*	*0*
	Ditto, 2½ inches in diameter and under, per 120	*4*	*0*
	Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	*9*	*0*
10	Ditto, above 4 and under 6 inches in diameter, per 120	*14*	*0*
	Spokes of wheels, not exceeding 2 feet in length, per 120	*2*	*0*
	Ditto, exceeding 2 feet in length, per 120	*3*	*0*
	Ditto, treenails, per 1,000	*2*	*6*
15	Ditto, wedges, per 1,000	*2*	*6*
	Pipe staves and others in proportion, per 120	*2*	*6*
	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	*2*	*0*
	Wool, per cwt.	*0*	*4*
	Yarn, per cwt.	*0*	*2*
20	ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.		
	Light goods, per cubic foot	*0*	*1*
	Heavy goods, per ton	*2*	*0*

In charging the rates on goods, the gross weight or measurement on all goods to be taken, and for any less weights, measures, and quantities than those 25 above specified a proportion of the respective rates shall be charged.

V.—RATES FOR USE OF CRANES, WEIGHING MACHINES, AND SHEDS.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	*0*	*4*
Exceeding 1 ton and not exceeding 2 tons	*0*	*6*
30 „ 2 tons „ 3 tons	*0*	*8*
„ 3 tons „ 4 tons	*0*	*10*
„ 4 tons „ 5 tons	*1*	*0*
„ 5 tons „ 6 tons	*1*	*2*
„ 6 tons „ 7 tons	*1*	*4*
35 „ 7 tons „ 8 tons	*1*	*6*
„ 8 tons „ 9 tons	*1*	*10*
„ 9 tons „ 10 tons	*2*	*4*
„ 10 tons	*3*	*6*

2d. Weighing Machines.

40	For goods weighed, for each ton or part of a ton	*0*	*2*

3d. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of *3d.*; and 45 the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

	For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	*0*	*2*

VI.—RATES FOR LAYING WATER MAIN ON PIER.

50	Water, per ton	*0*	*6*

Llandudno.

LLANDUDNO.

Order for the Construction, Maintenance, and Regulation of a Pier at Llandudno, in the County of Carnarvon.

Undertakers.

1. The Llandudno Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Power to purchase the pier and works of the London and North Western Railway Company.

3. The Company shall, within two years from the confirmation of this Provisional Order, and before opening for public traffic the pier and works by this Order authorized, purchase from the London and North-Western Railway Company, and the London and North-Western Railway Company shall sell to the Company, the existing pier and works at Llandudno aforesaid as shown on the deposited Plans, and constructed under the powers of "The St. George's Harbour Act, 1853," and the several Acts amending the same, and all the tolls, rates, and duties payable in respect thereof, and all the rights and powers of the said Railway Company by virtue of the provisions of the said Acts or any or either of them in relation thereto, connected therewith, or incidental thereto, at the price or sum of One thousand Pounds sterling.

Incorporation of Lands Clauses Acts.

4. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

5. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, and on the lands mentioned in Clause [illegible] of this Order, subject nevertheless as to such last-mentioned lands to the conditions hereafter contained, make and maintain the works hereby authorized.

Alteration of limits of deviation.

6. With the consent of the Board of Trade and of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, the limits of deviation on the north or sea side of the said pier and works shall be extended to a distance of one hundred and twenty or thereabouts yards from the centre line as shown on the said deposited plans, so as to include the existing pier and works of the London and North-Western Railway.

Description of pier.

7. The works authorized by this Order comprise the following:

A pier, jetty, and landing place, with an approach commencing at the bottom of Church Walks, at Llandudno, in the county of Carnarvon, and proceeding across the promenade and slope belonging to the Improvement Commissioners of Llandudno, to high water-mark at ordinary spring tides, a distance of one hundred and eighty feet or thereabouts, in a nearly due easterly direction, and thence proceeding in the same direction by a solid embankment for a distance of about four hundred and fifty feet, thence

Llandudno.

thence by a pier or jetty and landing place, extending one thousand six hundred and seventy feet or thereabouts, also in an easterly direction, and of not less than eight feet in height above high-water mark at ordinary spring tides, and fifteen feet in width, to be widened at the head to fifty feet, for a distance of three hundred feet or thereabouts, with a return pier or cant proceeding in a south-westerly direction, two hundred and sixty feet in length and fifty feet in width, or thereabouts ;

And all proper works, approaches, and conveniences connected therewith for the embarking and landing of passengers, cattle, goods, and merchandise.

Powers to enlarge head, &c., and fill up space under pier.

8. The Company may from time to time, with the approval of the Board of Trade first obtained, enlarge the head and cant, or either, to such further extent as the Board of Trade in the interest of navigation approve, and may from time to time, with the like approval first obtained, fill up and solidify with concrete blocks or other material the whole or any part or parts of the space or spaces beneath the head and cant, and the enlarged head or cant.

Power to take rates according to Schedule.

9. The Company may demand and receive, in respect of the vessels, cattle, goods, merchandise, persons, and things in the Schedule to this Order described, any sums not exceeding the rates in that Schedule specified.

Powers to borrow money.

10. The Company may from time to time give security on the rates leviable under this Order for any money borrowed by the Company for the purposes of the pier and works authorized by this Order; and the Public Works Loan Commissioners may from time to time lend to the Company, on such security as aforesaid, any such money required for those purposes as to the Commissioners seems fit.

Money to be applied for purposes of Order.

11. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Pass tickets.

12. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed upon, but so that no preference be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Company may contract for use of pier.

13. The Company may from time to time enter into a contract or contracts with any person or persons, company or body corporate, for any period not exceeding one year, for a composition or reduced payment or payments in respect of any rates leviable under this Order, but so that no preference be given to any such person or persons, company or body corporate, respectively.

Certain fishing vessels under stress of weather exempt from rates.

14. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port-charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of custom-house officers from rates.

15. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier, by land and with their vessels, and otherwise, without payment.

Llandudno.

Lands for extraordinary purposes.

16. The Company shall not purchase for extraordinary purposes (within the meaning of The Harbours, Docks, and Piers Clauses Act, 1847), lands exceeding in the whole three acres.

Meters and weighers.

17. The Company shall have the appointment of meters and weighers on the pier.

Steam engines, diving bells, lighters, &c.

18. The Company may from time to time provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels, and also such tramways on the pier, jetty, and landing place and the approaches thereto authorized by this Order, and such carriages for traffic thereon, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

19. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the pier authorized by this Order.

Short title.

20. This Order may be cited as The Llandudno Pier Order, 1866.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under 15 tons, per ton	*0*	*4*
For every vessel of 15 tons, and under 50 tons, per ton	*0*	*6*
For every vessel of 50 tons, and under 100 tons, per ton	*0*	*8*
For every vessel of 100 tons, and under 150 tons, per ton	*0*	*10*
For every vessel of 150 tons, and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale, bottled, per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Beef or pork, per barrel	*0*	*6*
Biscuits or bread, per cwt.	*0*	*3*
Blubber, per tun of 252 gallons	*3*	*0*
Bones and bone dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*1*	*6*
Butter and lard, per barrel	*0*	*6*
Ditto, per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*
Canvas, per bolt	*0*	*1*
Carriages:		
Chaises and other four-wheeled carriages, each	*7*	*6*
Gigs, carts, and other two-wheeled carriages, each	*5*	*0*
Hand carts and perambulators, each	*1*	*0*
Casks (empty) not being returned packages, per puncheon	*0*	*3*
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	*3*	*0*
Calves, each	*1*	*0*

		s.	d.	*Llandudno.*
	Cattle—*cont.*			
	Horses, each	4	0	
	Pigs, each	0	6	
	Sheep, each	0	6	
5	Chalk, per ton	1	0	
	Cheese, per cwt.	0	4	
	Chimney pots, each	0	3	
	Clay, per ton	1	0	
	Cloth, haberdashery, &c. per package, not exceeding 1 cwt.	0	6	
10	Coals, per ton	1	0	
	Copper, per ton	3	0	
	Cordage, per cwt.	0	3	
	Corks, per cwt.	0	6	
	Corpses, each	20	0	
15	Crystal, per box or package	0	6	
	Dogs, each	0	6	
	Drugs (in casks, hampers, or boxes), per foot	0	2	
	Earthenware (in crates), per foot	0	1	
	Eggs, per box	0	3	
20	Fish (dried or salted), per cwt.	0	3	
	Ditto, fresh, not enumerated	0	2	
	Flax, per ton	2	0	
	Flour and meal, per sack	0	4	
	Ditto, per barrel	0	3	
25	Furniture (household), per 5 cubic feet	0	4	
	Fruit, per bushel or sieve	0	4	
	Glass, per large crate	1	6	
	Ditto, per small crate or case	1	0	
	Ditto, per box	0	6	
30	Grain and seeds, per quarter	0	6	
	Groceries not enumerated, per cwt.	0	6	
	Guano, per ton	1	6	
	Gunpowder, per barrel or keg	0	6	
	Hams, bacon, or tongues, per cwt.	0	4	
35	Hardware, per ton	2	6	
	Hares and rabbits, per dozen	0	4	
	Hay, per ton	1	6	
	Ditto, per truss	0	2	
	Hemp, per ton	2	0	
40	Herrings (fresh), per 1,000	0	3	
	Ditto (cured), per barrel	0	3	
	Hides:			
	Ox, cow, or horse (wet or dry), each	0	2	
	Iron:			
45	Bar, bolt, rod, and shots, per ton	1	6	
	Pig, and old, per ton	1	0	
	Manufactured, per ton	2	6	
	Pots, each	0	1	
	Kelp, per ton	2	0	
50	Lead, per ton	2	6	
	Leather (tanned and dressed), per cwt.	0	4	
	Lime, per 28 bushels	1	4	
	Limestone, per ton	1	0	
	Machinery, per ton	2	6	
55	Manure (not enumerated), per ton	1	0	
	Masts and spars, 10 inches in diameter and upwards, each	4	6	
	Ditto, under 10 inches, each	3	0	
	Meat (fresh), per cwt	0	6	
	Milk, per gallon	0	0½	
60	Musical instruments, per cubic feet	0	1	

Llandudno.

	s.	d.
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oil cake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (foreign or British), per hogshead	1	0
Ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	0	1
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto (bottled), per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter, per 120	5	0
Ditto, $2\frac{1}{2}$ inches in diameter, and under, per 120	4	0
Ditto, 22 feet in length, and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels, not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Ditto, treenails, per 1,000	2	6
Ditto, wedges, per 1,000	2	6
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other goods not particularly enumerated above.

	s.	d.
Light goods, per cubic foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement on all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st, Rates of Craneage.

	s.	d.
All goods or packages, not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
„ 2 tons, „	0	8
„ 3 tons, „	0	10
„ 4 tons, „	1	0
„ 5 tons, „	1	2
„ 6 tons, „	1	4
„ 7 tons, „	1	6
„ 8 tons, „	1	10
„ 9 tons, „	2	4
„ 10 tons	3	6

2nd, Weighing Machines.

	s.	d.
For goods weighed, for each ton or part of a ton	0	2

3rd, Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of $1\frac{1}{2}$*d.* per ton for each day during which such goods shall remain after the first 48 hours.

	s.	d.
For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for laying Water Mains on Pier.

	s.	d.
Water, per ton	0	6

V.—Rates on Passengers landing on or embarking from the Pier.

	s.	d.
For every passenger or other person landing on the pier from, or embarking from it to, any ship, vessel, packet, or passage boat, for each time, any sum not exceeding	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding	0	2
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding	0	6
For every perambulator taken on the pier, for each time, any sum not exceeding	0	2

Llandudno.

	s.	d.
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Llandudno, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - -	*20*	*0*

VI.—Rates on Passengers Luggage landed or shipped.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, and not borne by the passenger, not exceeding 28 lbs. - - - - - -	*0*	*2*
Over 28lbs. and not exceeding 84 lbs. - - - -	*0*	*4*
„ 84 lbs. „ 112 lbs. - - - - -	*0*	*5*
„ 112 lbs. „ 140 lbs. - - - -	*0*	*6*
„ 140 lbs. „ 196 lbs. - - - - -	*0*	*7*
„ 196 lbs. „ 2 cwt. - - - -	*0*	*8*
And for every 20 lbs. weight in addition - - - -	*0*	*1*

VII.—Rates on Vessels entering within the Shelter and Protection of the Pier and Works only.

For every vessel, per ton - - - - - -	*0*	*2*

All pleasure boats, and boats entirely open, exempt.

Penzance.

PENZANCE.

Order for the Construction, Maintenance, and Regulation of a Pier at Penzance, in the County of Cornwall.

The undertakers.

1. The Penzance Promenade Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take and use all or any part of the lands shown on the plans deposited for the purposes of this Order as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

5. The

Penzance.

5. The works authorized by this Order comprise the following:

A promenade pier, with a landing place, commencing at a point on the quay wall on the parade, opposite to the Queen's Hotel, in the town and chapelry or borough of Penzance, in the parish of Madron, in the county of Cornwall, and extending from that point, seawards, a distance of 1000 feet, or thereabouts, in a direction south-east by south (with lateral limits of deviation extending a distance of 10 chains on each side of the proposed pier throughout the whole length thereof); Description of pier.

and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

6. The Company may demand and receive in respect of the vessels, goods, persons and things described in the Schedule to this Order, any sums not exceeding the rates in that Schedule specified. Power to take rates according to Schedule to this Order.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order. Certain fishing vessels under stress of weather exempt from rates.

8. The Company may grant to passengers and promenaders, or others, pass-tickets for the use of the pier on such terms and for such a period not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act). Company may contract with persons for the use of the pier.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier by land and with their vessels and otherwise without payment. Custom-house officers exempt from rates.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres. Lands for extraordinary purposes.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier. Meters and weighers.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 and 21 to 23, all inclusive. Parts of Harbours, &c. Act, 1847, excepted.

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

Penzance.

Part V. of 24 & 25 Vict. c. 47. to apply.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Restriction on use of pier.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle or merchandise, or to ship or unship there anything which, in the judgment of the Company, might in any manner interfere with the use of the pier for recreation or for the embarking or landing of passengers.

Short title.

16. This Order may be cited as The Penzance Promenade Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
„ „ 50 tons, „ 100 tons, „	*0*	*8*
„ „ 100 tons, „ 150 tons, „	*0*	*10*
„ „ 150 tons, and upwards, per ton	*1*	*0*
All lighters for each trip, per ton	*0*	*2*
All boats entirely open landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Ditto, per barrel	*0*	*6*
Biscuit or bread, per cwt.	*0*	*3*
Blubber, per ton of 252 gallons	*3*	*0*
Bones and bone-dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*1*	*6*
Butter and lard, per barrel	*0*	*6*
Ditto, per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*
Canvas, per bolt	*0*	*1*
Casks (empty) not being returned packages, per puncheon	*0*	*3*
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	*3*	*0*
Calves, each	*1*	*0*
Horses, each	*4*	*0*
Pigs, each	*0*	*6*
Sheep, each	*1*	*0*
Chalk, per ton	*1*	*0*

		s.	*d.*	*Penzance.*
	Cheese, per cwt.	*0*	*4*	
	Chimney pots, each	*0*	*3*	
	Clay, per ton	*1*	*0*	
5	Cloth, haberdashery, &c. per package not exceeding cwt.	*0*	*6*	
	Carriages:			
	Chaises and other four-wheeled carriages, each	*7*	*6*	
	Gigs, carts, and other two-wheeled carriages, each	*5*	*0*	
	Hand-carts and perambulators, each	*1*	*0*	
10	Coals, per ton	*1*	*0*	
	Copper, per ton	*3*	*0*	
	Cordage, per cwt.	*0*	*3*	
	Cork, per cwt.	*0*	*6*	
	Corpses, each	*20*	*0*	
15	Crystal, per box or package	*0*	*6*	
	Dogs, each	*0*	*6*	
	Drugs (in casks, hampers, or boxes), per foot	*0*	*2*	
	Earthenware (in casks, hampers, or boxes), per foot	*0*	*2*	
	Ditto (in crates), per foot	*0*	*1*	
20	Eggs, per box	*0*	*3*	
	Fish (dried and salted) per cwt.	*0*	*3*	
	Ditto fresh (not enumerated), per cwt.	*0*	*2*	
	Flax, per ton	*2*	*0*	
	Flour and meal, per sack	*0*	*4*	
25	Ditto, per barrel	*0*	*3*	
	Fruit, per bushel or sieve	*0*	*4*	
	Furniture (household), per 5 cubic feet	*0*	*4*	
	Glass, per large crate	*1*	*6*	
	Ditto, per small crate or case	*1*	*0*	
30	Ditto, per box	*0*	*6*	
	Grains and seeds, per quarter	*0*	*6*	
	Groceries (not enumerated)	*0*	*6*	
	Guano, per ton	*1*	*6*	
	Gunpowder, per barrel or keg	*0*	*6*	
35	Hams, bacon, or tongues, per cwt.	*0*	*4*	
	Hardware, per ton	*2*	*6*	
	Hares and rabbits, per dozen	*0*	*4*	
	Hay, per ton	*1*	*6*	
	Ditto, per truss	*0*	*2*	
40	Hemp, per ton	*2*	*0*	
	Herrings (fresh), per 1,000	*0*	*3*	
	Ditto (cured), per barrel	*0*	*3*	
	Hides:			
	Ox, cow, or horse (wet or dry), each	*0*	*2*	
45	Iron:			
	Bar, bolt, rod, and shots, per ton	*1*	*6*	
	Pig, and old, per ton	*1*	*0*	
	Manufactured, per ton	*2*	*6*	
	Pots, each	*0*	*1*	
50	Kelp, per ton	*2*	*0*	
	Lead, per ton	*2*	*6*	
	Leather, tanned and dressed, per cwt.	*0*	*3*	
	Lime, per 28 bushels	*1*	*4*	
	Limestone, per ton	*1*	*0*	
55	Machinery, per ton	*2*	*6*	
	Manure (not enumerated), per ton	*1*	*0*	
	Masts and spars, 10 inches in diameter and upwards, each	*4*	*6*	
	Ditto, under 10 inches	*3*	*0*	
	Meat (fresh) per cwt.	*0*	*6*	

Penzance.

	s.	d.
Milk, per gallon	0	0½
Musical instruments, per cube foot	0	1
Nets, per 5 cubic feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins:—Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton, of 24 cubic feet	2	0
Spirits (Foreign and British), per hogshead	1	0
Ditto, ditto, per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto, bottled, per dozen bottles	0	2
Wood:—		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
Ditto exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6

Penzance.

	s.	d.
Pipe staves, and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated above.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

III.—Rates for use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2*d. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*d. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package 0 2

IV.—Rates for supplying Water on Pier.

Water, per 1,000 gallons	10	0

V.—Rates on Passengers and Promenaders using the Pier.

	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding	0	4
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding	0	6

Penzance.

	s.	d.
For every perambulator taken on the pier, for each time, any sum not exceeding	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the borough of Penzance, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	20	0

VI.—Rates on Passengers Luggage brought on the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.			0	2
Over 28 lbs. and not exceeding	84 lbs.		0	4
„ 84 lbs.	„	112 lbs.	0	5
„ 112 lbs.	„	140 lbs.	0	6
„ 140 lbs.	„	196 lbs.	0	7
„ 196 lbs.	„	2 cwt.	0	8
And for every cwt. beyond			0	4
And for every 20 lbs. weight in addition			0	1

Plymouth (Hoe).

PLYMOUTH (HOE).

Order for the Construction, Maintenance, and Regulation of a Pier at Plymouth, in the county of Devon.

The undertakers.

1. The Plymouth (Hoe) Pier Company (Limited), hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order the Company may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans, as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following:

A pier, jetty, and landing place, commencing at a point on the southern extremity of the Hoe, opposite, or nearly opposite, and at a distance of five chains or thereabouts in a southerly direction from the Trinity Obelisk, situate in the town of Plymouth, in the parish of St. Andrew,

in

in the county of Devon, and extending thence in a southerly direction five hundred feet or thereabouts; *Plymouth (Hoe).*

and all proper works, sea walls, terraces, promenades, approaches, and other conveniences connected therewith.

Power to take rates according to Schedule.

6. The Company may demand and receive in respect of the persons, vessels, and things described in the Schedule to this Order, any sums not exceeding the rates in that Schedule specified.

Certain fishing vessels under stress of weather exempt from rates.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Company may contract with persons for the use of the pier.

8. The Company may grant to passengers and promenaders or others pass-tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Custom-house officers exempt from rates.

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage and egress to, on, along, and from the pier by land, and with their vessels and otherwise, without payment.

Lands for extraordinary purposes.

10. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following Sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 and 21 to 23, all inclusive.

Restriction on use of pier.

13. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier, jetty, or landing place authorized by this Order, any sheep, cattle, or merchandize, or to ship or unship anything which in the judgment of the Company might in any manner interfere with the use of the pier, jetty or landing place for recreation or for the embarking or landing of passengers.

Short title.

14. This Order may be cited as The Plymouth (Hoe) Pier Order, 1866.

Plymouth (Hoe).

SCHEDULE to which the foregoing Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - -	0	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding -	0	0	4
For every Bath or sedan chair taken on the pier, for each time, any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier, for each time, any sum not exceeding - - - - - - -	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Plymouth, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - -	1	0	0

II.—Rates on Passengers Luggage brought on the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs. - - - - - - -	0	0	2
For every 112 lbs. weight, or fractional part thereof, in addition -	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under 15 tons, per ton - - - -	0	0	4
For every vessel of 15 tons and under 50 tons, per ton - -	0	0	6
„ 50 tons „ 100 tons, „ - -	0	0	8
„ 100 tons „ 150 tons, „ - -	0	0	10
„ 150 tons and upwards, per ton - -	0	1	0
For every lighter, for each trip - - - -	0	0	2

Redcar.

REDCAR.

Order for the Construction, Maintenance, and Regulation of a Pier at Redcar, in the County of York.

The undertakers.

1. The Redcar Pier Company (Limited), hereafter in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time by agreement enter on, take, and use all or any part of the lands shown on the deposited plans for the purposes of this Order as intended to be taken for the purposes of the proposed works.

3. The

Redcar.

3. The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order. Lands Clauses Acts incorporated.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make works.

5. The works authorized by this Order comprise the following:— Description of pier.

A promenade pier, commencing at a point on the beach or sea-shore nearly opposite to and east of Moore Street in Redcar, in the parish of Marske, in the north riding of the county of York, and extending from that point into the sea, in a north-easterly direction, a distance of 1,200 feet or thereabouts (with limits of deviation laterally between a point on the beach or sea-shore opposite to and east of King Street, and a point opposite to and east of the street leading from the beach to the Railway station, and extending seawards in a north-easterly direction 1,600 feet from the beach or sea-shore);

And a landing place and all necessary works and conveniences for the embarking and landing of passengers, goods, and merchandise, and other purposes.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things described in the Schedule to this Order any sums not exceeding the rates in that Schedule specified. Power to take rates according to Schedule.

7. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order. Certain fishing vessels under stress of weather exempt from rates.

8. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier, on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, (for all the purposes of which Act this Order shall be deemed the Special Act). Company may contract with persons for the use of the pier.

9. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along and from the pier by land, and with their vessels and otherwise, without payment. Custom-house officers exempt from rates.

Redcar.

Lands for extraordinary purposes.

10. The Company shall not purchase, for extraordinary purposes, land exceeding in extent in the whole three acres.

Meters and weighers.

11. The Company shall have the appointment of meters and weighers on or in connexion with the pier.

Parts of Harbours, &c. Act, 1847, excepted.

12. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen and twenty-one to twenty-three, all inclusive.

Steam engines, diving bells, lighters, &c,

13. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

14. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Restriction on use of pier.

15. Nothing in this Order shall entitle any person with any vessel or boat to ship or unship at the pier authorized by this Order, any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier for recreation, or for the embarking or landing of passengers.

Short title.

16. This Order may be cited as The Redcar Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open landing or taking on board goods, each	*0*	*6*

II.—Rates of Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
Ditto, per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
Ditto, per barrel	*0*	*6*
Biscuit or bread, per cwt.	*0*	*3*
Blubber, per tun of 252 gallons	*3*	*0*

		s.	d.	Redcar.
	Bones and bone dust, per ton	1	6	
	Bottles, per gross	0	6	
	Bricks, per 1,000	1	6	
5	Butter and lard, per barrel	0	6	
	Ditto, per firkin	0	3	
	Cables, iron or hempen, per ton	3	0	
	Canvas, per bolt	0	1	
	Casks (empty) not being returned packages, per puncheon	0	3	
10	Other casks in proportion.			
	Cattle :—			
	Bulls, cows, and oxen, each	3	0	
	Calves, each	1	0	
	Horses, each	4	0	
15	Pigs, each	0	6	
	Sheep, each	1	0	
	Chalk, per ton	1	0	
	Cheese, per cwt.	0	4	
	Chimney pots, each	0	3	
20	Clay, per ton	1	0	
	Cloth, haberdashery, &c., per package not exceeding cwt.	0	6	
	Carriages :—			
	Chaises and other four-wheeled carriages, each	7	6	
	Gigs, carts, and other two-wheeled carriages, each	5	0	
25	Hand-carts and perambulators, each	1	0	
	Coals, per ton	1	0	
	Copper, per ton	3	0	
	Cordage, per cwt.	0	3	
	Cork, per cwt.	0	6	
30	Corpses, each	20	0	
	Crystal, per box or package	0	6	
	Dogs, each	0	6	
	Drugs (in casks, hampers, or boxes), per foot	0	2	
	Earthenware (in casks, hampers, or boxes), per foot	0	2	
35	Ditto (in crates), per foot	0	1	
	Eggs, per box	0	3	
	Fish (dried and salted), per cwt.	0	3	
	Ditto fresh (not enumerated), per cwt.	0	2	
	Flax, per ton	2	0	
40	Flour and meal, per sack	0	4	
	Ditto, per barrel	0	3	
	Fruit, per bushel or sieve	0	4	
	Furniture (household), per 5 cubic feet	0	4	
	Glass, per large crate	1	6	
45	Ditto, per small crate or case	1	0	
	Ditto, per box	0	6	
	Grains and seeds, per quarter	0	6	
	Groceries (not enumerated)	0	6	
	Guano, per ton	1	6	
50	Gunpowder, per barrel or keg	0	6	
	Hams, bacon, or tongues, per cwt.	0	4	
	Hardware, per ton	2	6	
	Hares and rabbits, per dozen	0	4	
	Hay, per ton	1	6	
55	Ditto, per truss	0	2	
	Hemp, per ton	2	0	
	Herrings (fresh), per 1,000	0	3	
	Ditto (cured), per barrel	0	3	

Redcar.

	s.	d.	
Hides:—			
Ox, cow, or horse (wet or dry), each	0	2	
Iron:			
Bar, bolt, rod, and shots, per ton	1	6	5
Pig and old, per ton	1	0	
Manufactured, per ton	2	6	
Pots, each	0	1	
Kelp, per ton	2	0	
Lead, per ton	2	6	10
Leather, tanned and dressed, per cwt.	0	3	
Lime, per 28 bushels	1	4	
Limestone, per ton	1	0	
Machinery, per ton	2	6	
Manure (not enumerated), per ton	1	0	15
Masts and spars, 10 inches in diameter and upwards, each	4	6	
Ditto, under 10 inches	3	0	
Meat (fresh), per cwt.	0	6	
Milk, per gallon	0	0½	
Musical instruments, per cube foot	0	1	20
Nets, per 5 cubic feet	0	4	
Oakum, per cwt.	0	2	
Oils, per tun	2	0	
Oilcake, per ton	2	0	
Oranges and lemons, per box	0	6	25
Ores, per ton	1	0	
Oysters, per bushel	0	3	
Paint, per cwt.	0	4	
Pitch and tar, per barrel	0	6	
Potatoes, per cwt.	0	2	30
Poultry and game, per dozen	0	4	
Rags and old rope, per ton	2	0	
Sails, per cwt.	0	6	
Salt, per cwt.	0	1	
Sand, per ton	1	0	35
Shrimp baskets, each	0	2	
Skins: calf, goat, sheep, lamb, or dog, per dozen	0	6	
Slates, per ton of 24 cubic feet	2	0	
Spirits (foreign and British), per hogshead	1	0	
Ditto, ditto, per gallon	0	1	40
Stones, per ton of 16 cubic feet	1	6	
Steel, per ton	3	0	
Sugar, per cwt.	0	3	
Tallow, soap, and candles	0	3	
Tea, per chest	1	0	45
Tiles, per 1,000	1	6	
Tin and zinc, per ton	3	0	
Tobacco, per cwt.	0	6	
Turbot, per score	0	3	
Turnips, per ton	0	6	50
Turpentine and varnish, per barrel	0	6	
Turtle, each	2	6	
Vegetables (not enumerated), per cwt.	0	4	
Vinegar, per hogshead	0	6	
Vitriol, per carboy	1	0	55
Water, per cask	0	3	
Wine, per hogshead	1	0	
Ditto, bottled, per dozen bottles	0	2	

Redcar.

		s.	*d.*
	Wood:		
	Fir, pine, and other descriptions not enumerated, per load of 50 feet	*1*	*6*
	Oak or wainscot, per load of 50 feet	*2*	*0*
5	Firewood, per 216 cubic feet fathom	*1*	*6*
	Laths and lathwood, per fathom of 216 cubic feet	*2*	*6*
	Handspikes, per 120	*3*	*0*
	Oars, per 120	*5*	*0*
	Spars, under 22 feet in length, above 2½ and under 4 inches in		
10	diameter, per 120	*5*	*0*
	Ditto, 2½ inches in diameter and under, per 120	*4*	*0*
	Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	*9*	*0*
	Ditto, above 4 and under 6 inches in diameter, per 120	*14*	*0*
15	Spokes of wheels, not exceeding 2 feet in length, per 120	*2*	*0*
	Ditto, exceeding 2 feet in length, per 120	*3*	*0*
	Trenails, per 1,000	*2*	*6*
	Wedges, per 1,000	*2*	*6*
	Pipe staves, and others in proportion, per 120	*2*	*6*
20	Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	*2*	*0*
	Wool, per cwt.	*0*	*4*
	Yarn, per cwt.	*0*	*2*

All other Goods not particularly enumerated above.

	Light goods, per cube foot	*0*	*1*
25	Heavy goods, per ton	*2*	*0*

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a portion of the respective rates shall be charged.

30 III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st, Rates of Craneage.

		s.	*d.*
	All goods or packages not exceeding 1 ton	*0*	*4*
35	Exceeding 1 ton and not exceeding 2 tons	*0*	*6*
	„ 2 tons „ 3 tons	*0*	*8*
	„ 3 tons „ 4 tons	*0*	*10*
	„ 4 tons „ 5 tons	*1*	*0*
	„ 5 tons „ 6 tons	*1*	*2*
40	„ 6 tons „ 7 tons	*1*	*4*
	„ 7 tons „ 8 tons	*1*	*6*
	„ 8 tons „ 9 tons	*1*	*10*
	„ 9 tons „ 10 tons	*2*	*4*
	„ 10 tons	*3*	*6*

45 *2d, Weighing Machines.*

	For goods weighed, for each ton or part of a ton	*0*	*2*

3d, Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier
50 for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

	For any portmanteau, trunk, parcel, or other article of passengers luggage, for each day or part of a day, per package	*0*	*2*

Redcar.

IV.—Rates for supplying Water on Pier.

	s.	d.
Water, per 1,000 gallons - - - - - -	10	0

V.—Rates on Passengers and Promenaders using the Pier.

	s.	d.
For every passenger or other person landing on the pier from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - - -	0	6
For every person using the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time, any sum not exceeding - - -	0	4
For every bath or sedan chair taken on the pier, for each time, any sum not exceeding - - - - - - -	0	6
For every perambulator taken on the pier, for each time, any sum not exceeding - - - - - - -	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the parish of Marske, and using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - - - - - - -	20	0

VI.—Rates on Passengers Luggage landed or shipped at the Pier.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs. - -	0	2
Over 28 lbs. and not exceeding 84 lbs. - - - -	0	4
„ 84 lbs. „ 112 lbs. - - - -	0	5
„ 112 lbs. „ 140 lbs. - - - -	0	6
„ 140 lbs. „ 196 lbs. - - - -	0	7
„ 196 lbs. „ 2 cwt. - - - -	0	8
And for every cwt. beyond - - - - - -	0	4
And for every 20 lbs. weight in addition - - - -	0	1

Scarborough.

SCARBOROUGH.

Order for the Construction, Maintenance, and Regulation of a Pier at Scarborough, in the North Riding of the County of York.

Undertakers specified.

1. The Scarborough Promenade Pier Company (Limited), in this Order called the Company, shall be the undertakers of the works authorized by this Order.

Power to take lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on or take and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Act, 1845.

3. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order.

4. The

Scarborough.

Additional lands.

4. The Company may purchase by agreement any lands and other property which they deem necessary for the purposes of their undertaking, not exceeding in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may on the lands purchased or taken by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections, make, execute, and maintain the works shown on the deposited plans.

Description of works.

6. The works authorized by this Order are the following:

A pier and jetty or landing place commencing at a point on the north shore above high-water mark, opposite or nearly opposite to the north end of Blenheim Terrace, at or near the east side of a certain parcel of land belonging to George Fenwick Brown and George Porrett, all situate in the township, parish, and borough of Scarborough, in the North Riding of the county of York, and extending seaward one thousand feet or thereabouts;

with all proper works, sea-walls, promenades, approaches, and other conveniences connected therewith.

Power to deviate.

7. In constructing the works authorized by this Order the Company may deviate from the lines thereof laid down on the deposited plans, to any extent within the limits of deviation shown on those plans.

Power to take rates.

8. The Company may demand and receive in respect of the persons, vessels, animals, and things in the Schedule to this Order described, any sums not exceeding the rates in that Schedule specified.

Cattle, &c., not to be brought on pier.

9. No person shall be entitled to bring on the pier or embark or disembark thereat, any cattle, sheep, animals, fish, merchandise, matters, or things other than those described in the Schedule to this Order.

Pass tickets.

10. The Company may grant to passengers and promenaders or others, pass tickets for the use of the pier on such terms and for such period, not exceeding one year, as are agreed upon, but so that no preference be given to any such person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall be liable for every such offence to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

Certain fishing vessels under stress of weather exempt from rates.

11. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Scarborough.

Officers of Customs.

12. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, along, through, and out of the pier, and the use thereof with their vessels and boats, without payment.

Toll-houses, &c.

13. The Company may erect on the pier or promenade toll-houses, waiting, refreshment, and other rooms, and demise the same either wholly or in part for any term or terms of years.

Tramways.

14. The Company may lay down tramways on the pier and promenade, and run carriages thereon for hire.

Parts of Harbours, &c. Clauses Act, 1847, not incorporated.

15. The provisions of The Harbours, Docks, and Piers Clauses Act, 1847, with respect to life boats, and with respect to keeping a tide and weather gauge, shall not be incorporated with this Order.

Foreshore rights.

16. The Mayor, Aldermen, and Burgesses of the borough of Scarborough acting by the Council of the same borough, may by order under their corporate seal, and with the consent of the Board of Trade, vary or extinguish any regulation, right, or privilege now existing as to the use or enjoyment by any person or persons of so much of the soil and foreshore between low-water mark and the first line of columns or piles as may be occupied by the said pier or promenade and works.

Short title.

17. This Order may be cited as The Scarborough Promenade Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

1.—Rates on Passengers and Promenaders using the Pier or Jetty.

	£	s.	d.
For every passenger or other person landing on the pier or jetty from, or embarking from it on board of any ship, vessel, packet, or passage boat, for each time, any sum not exceeding - -	0	0	6
For every person using the pier or jetty for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each time any sum not exceeding	0	0	2
For every bath or sedan chair taken on the pier or jetty, for each time any sum not exceeding - - - - - -	0	0	6
For every perambulator taken on the pier or jetty, for each time any sum not exceeding - - - - - - -	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Scarborough, and using the pier or jetty for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding - -	1	0	0

2.—Rates on Passengers Luggage shipped or landed at the Pier.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs., not exceeding - - - - - -	0	0	2
And for every 112 lbs. weight or fractional part thereof, in addition, not exceeding - - - - - - -	0	0	3

3.—Rates on Vessels using the Pier or Jetty.

	£	s.	d.
For every vessel under the burden of 15 tons, per ton - -	0	0	4
For every vessel of the burden of 15 tons and under 50 tons, per ton	0	0	6
„ „ 50 tons „ 100 tons „	0	0	8
„ „ 100 tons „ 150 tons „	0	0	10
For every vessel of the burden of 150 tons and upwards, per ton -	0	1	0
For every lighter, for each trip - - - - -	0	0	2

4.—Rates for laying Water Mains.

For water supplied from mains on pier, per ton - - -	0	0	6

Pier and Harbour Orders Confirmation.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

For confirming certain Provisional Orders mad by the Board of Trade under The Genera Pier and Harbour Act, 1861, relating t Ardglass, Blackpool (South), Cowes (West) Dawlish, Hopeman, Hornsea, Llandudno Penzance, Plymouth (Hoe), Redcar, an Scarborough.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Monsell.*)

Ordered, by The House of Commons, *to be Printed,* 12 *June* 1866.

[Bill 188.]

Under 7 oz.

Pier and Harbour Orders Confirmation (No. 2) Bill.

ARRANGEMENT OF CLAUSES.

CLAUSES.

1. Confirmation of Orders in Schedule.
2. Short Title.

THE SCHEDULE OF ORDERS. PAGE

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3. NEWLYN.—Construction of a Pier - - - 9

A

B I L L

FOR

Confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Clynder, Hastings, and Newlyn.

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: Preamble. 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act, and set out in the Schedule to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The several Orders set out in the Schedule to this Act shall be and the same is hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the *passing of this Act*, have full Validity and Force. Confirmation of Orders in Schedule.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1866 (No. 2).

The SCHEDULE of Orders.

1. CLYNDER.—Construction of a Pier.
2. HASTINGS.—Construction of a Pier.
3. NEWLYN.—Construction of a Pier.

CLYNDER.

Clynder.

Order for the Construction Maintenance and Regulation of a Pier at Clynder, in the Parish of Roseneath, in the County of Dumbarton.

Undertakers.

1. Archibald Chalmers, of Auchmar, Roseneath, in the County of Dumbarton, his heirs and assigns, shall be the Undertakers of the Works authorized by this Order.

Works.

2. Subject to the provisions of this Order, and subject also to such alterations (if any) in the plans deposited for the purposes of this Order, as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, in the lines and according to the levels and within the limits of deviation shown on the plans and sections deposited for the purposes of this Order, make and maintain the Works shown on the deposited plans.

Description of pier.

3. The Works authorized by this Order comprise the following:—

A pier on the west bank of the Garelock, opposite Auchmar aforesaid, extending from the shore eastward a distance of 270 feet or thereby:

With all necessary quays, wharves, jetties, landing places, approaches, warehouses, offices, sheds, weighing machines, works, and conveniences connected with the proposed pier.

Rates according to Schedule to this Order.

4. The Undertakers may demand and receive in respect of the vessels, goods, persons, animals, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House officers exempt from rates.

5. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, from, and out of the pier by land, and with their vessels and otherwise, without payment.

Certain fishing vessels under stress of weather exempt from rates.

6. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Parts of Harbours Clauses Act excepted.

7. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, Sections 16, 17, 18, and 19.

Borrowing.

8. The Undertakers may borrow from time to time on the security of the Works authorized by this Order and of the lands and property connected therewith, and of the rates authorized by this Order, such sums of money as may be required for the purposes of the Works authorized by this Order, not exceeding in the whole the sum of Five hundred Pounds and the money so borrowed may be re-borrowed as occasion shall require. They shall regularly

Clynder.

keep down the interest accruing on the money so borrowed, and shall not allow such interest to accumulate.

Application of money borrowed.

9. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Application of rates.

10. The rates received under this Order shall be applicable for the purposes and in the Order following, and not otherwise :—

(1.) In the maintenance of the Works authorized by this Order.

(2.) In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money.

(3.) To the proper use of the Undertakers.

Power to purchase, lease, provide, or hire steam or other dredges, &c.

11. The Undertakers may for the purposes of the Works authorized by this Order, or any of them, from time to time purchase, lease, provide, or hire such steam or other dredges, steam or other engines, steam tugs, steam or other vessels, diving bells, ballast lighters, rubbish lighters, tools, plant, or other materials as they think fit, and may from time to time as they think fit, sell and dispose of such dredges, tugs, vessels, diving bells, plant, and materials aforesaid, and shall apply the money thereby realized for carrying into effect the purposes of this Order, or some of them.

Short title.

12. This Order may be cited as The Clynder Pier Order, 1866.

SCHEDULE to which the foregoing Order refers.

TABLE I.—RATES ON VESSELS USING THE PIER FOR SHIPPING, UNSHIPPING, OR TRANSHIPPING GOODS OR PASSENGERS.

	s.	*d.*
Each passenger landing or embarking	*0*	*1*
Do. do. do. under 14 years of age	*0*	*0½*
For every vessel under fifteen tons, per ton	*0*	*2*
For every vessel of fifteen tons and upwards, per ton	*0*	*4*

TABLE II.—RATES ON ANIMALS AND GOODS SHIPPED, UNSHIPPED, OR TRANSHIPPED UPON THE PIER.

	s.	*d.*
Cattle, per head	*1*	*0*
Coaches:		
Chaises and other four-wheeled carriages, each	*1*	*0*
Gigs, carts, and other two-wheeled carriages, each	*0*	*6*
Coals, Scotch, English, smithy, and culm, per ton	*0*	*2*
Corn:		
Wheat and malt, per ton	*0*	*5*
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn, per ton	*0*	*5*
Glass, per barrel-bulk	*0*	*1*
Household furniture:		
1 cart load	*1*	*0*
1 barrow load	*0*	*6*
New, per barrel-bulk	*0*	*1*
Belonging to parties changing their residence only, per 10 barrels-bulk	*0*	*6*

	s.	d.
Passengers' luggage, not exceeding 28 lbs., free.		
All above 28 lbs. per barrel-bulk - - - -	0	4
Stones:		
Freestone, pavement, and granite, per ton of 16 cubic feet -	0	2
Scythe stones, per ton - - - - -	0	6
Millstones, each - - - - - -	0	4
Limestones and other stones, per ton - - - -	0	1
Light goods, per barrel-bulk - - - - -	0	1
Heavy goods, per ton - - - - - -	0	6

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two and a half cwt., to be rated as barrel-bulk; but when the weight of five cubic feet is greater than two and a half cwt., then two and a half cwt. to be rated as a barrel-bulk.

HASTINGS.

Hastings.

Order for the Construction of an additional Pier at Hastings, in the County of Sussex, by the Hastings Harbour Company, and for other Purposes.

Power to take specified lands by agreement.

1. For the purposes of the works authorized by this Order the Hastings Harbour Company (in this Order called the Company) may from time to time, by agreement, enter on, take, and use all or any part of the lands shown on the plans deposited for the purposes of this Order, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

2. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order.

Lands for extraordinary purposes.

3. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Power to make works.

4. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may on the lands taken by them under this Order, and in the lines and according to the levels, and within the limits of deviation shown on the plans and sections deposited as aforesaid, make and maintain the works shown on the deposited plans, with all proper approaches, landing places, and other conveniences connected therewith.

Description of Pier.

5. The works authorized by this Order comprise the following:

A promenade pier (to be called the Alexandra pier) commencing from the esplanade or beach opposite to the centre of Warrior Square, in the parish of Saint Mary Magdalen, in the borough of Hastings and county of Sussex, and extending seawards in a southerly direction for a distance of twelve hundred feet or thereabouts.

Approval by Corporation, &c.

6. Notwithstanding anything in this Order, the site of the pier authorized by this Order (within the limits of deviation) shall be selected and the works

Hastings.

for the construction thereof shall be executed in accordance with a plan to be approved by writing under the respective common seals of the Mayor, Aldermen, and Burgesses of the borough of Hastings, and of the Local Board of Health of the borough.

Limiting of date of commencement of works authorized by Order of 1862.

7. The Company shall, before the 16th day of August 1866, commence the construction of the harbour authorized by The Hastings Pier and Harbour Order, 1862, (in this Order called the Order of 1862) and shall carry on the same without delay.

Expenditure under Order of 1862 before commencement of pier.

8. Notwithstanding anything in this Order the Company shall not commence the pier authorized by this Order until they have expended the sum of forty thousand pounds in the execution of the works authorized by the Order of 1862, of which expenditure a certificate under the hand of the Chairman of the Quarter Sessions shall be conclusive evidence, and the Chairman shall sign such a certificate on proof being adduced to him of that expenditure having been made.

Limitation of time for commencement of pier.

9. If the Company have not expended the sum of forty thousand pounds in the execution of the works authorized by the Order of 1862 before the time limited for the completion of those works, then on the expiration of that time the powers by this Order given to the Company for constructing the pier authorized by this Order or otherwise in relation thereto shall absolutely cease.

Like rates as under Order of 1862.

10. The Company may demand and receive for the pier authorized by this Order the like rates as they are by the Order of 1862 authorized to demand and receive for the pier thereby authorized.

Power to levy additional rates for purposes of Order of 1862 and this Order.

11. The Company, in addition to such rates as they are by the Order of 1862 and by the last foregoing provision of this Order authorized to demand and receive, may demand and receive, as well for the pier authorized by the Order of 1862 as for the pier authorized by this Order, any sums not exceeding the rates in the Schedule to this Order specified in respect of the things in that Schedule described.

Restriction as to rates for pier.

12. Notwithstanding anything in this Order the Company may not, without the consent of the said Mayor, Aldermen, and Burgesses, and Local Board of Health respectively, in writing under their respective common seals, demand or receive any tolls for the pier and works authorized by this Order until the harbour authorized by the Order of 1862 is completed.

Company may contract with persons for the use of the pier.

13. The Company may grant to passengers and promenaders, or others, pass tickets for the use of the pier on such terms and for such a period, not exceeding one year, as are agreed on, but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses, or attempts to use, any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed the Special Act).

Certain fishing vessels under stress of wea-

14. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when force

by

by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier authorized by this Order, and not breaking bulk while making use thereof, be exempt from dues leviable under this Order.

ther exempt from dues.

15. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the pier, by land and with their vessels and otherwise, without payment.

Exemption of Custom House officers.

16. The provisions of The Companies Clauses Consolidation Act, 1845, as far as the same are applicable to the purposes of this Order, and Part I. (relating to cancellation and surrender of shares) and Part II. (relating to additional capital) of The Companies Clauses Act, 1863, are hereby incorporated with this Order, and shall, in all particulars not otherwise provided for by or under this Order, apply to all shares and capital created, and to all money borrowed, and mortgages granted under this Order; and in the construction of those provisions in connexion with this Order, the expression "the special Act" shall mean this Order; the expression "the Company" shall mean the Hastings Harbour Company; the expression "the undertaking" shall mean the undertaking of the Company; and the provisions relating to the superior courts shall extend to any county or other court having by law cognizance of the action.

Incorporation of parts of Companies Clauses Consolidation Acts, 1845 and 1863.

17. The Company may from time to time raise for the purposes of this Order, by the creation and issue of new shares or new stock, the additional capital of thirty thousand pounds.

Power to create new shares.

18. The Company shall not issue any share created under the authority of this Order, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Shares not to be issued until one-fifth paid up.

19. The amount of any one call to be made upon such new shares shall not exceed two pounds per share, and successive calls shall not be made at a less interval than three months.

Amount and number of calls.

20. The new shares and new stock which the Company are by this Order authorized to create and issue may, with the sanction of three-fifths at least of the votes of the shareholders present, in person or by proxy, at a general meeting of the Company specially convened for the purpose, be issued either of one class and with like privileges, or of several classes and with different privileges, and of the same or different amounts, and respectively with any fixed, fluctuating, contingent, preferential, perpetual, terminable, or other dividend; and the Company may, as they from time to time think fit, fix the amount and times of payment of the calls on the new shares.

New shares and new stock may be of different classes.

21. The capital from time to time created by the Company under this Order shall be part of the general capital, and the several holders from time to time of the new shares and new stock from time to time issued by the Company under this Order shall be shareholders and stockholders of the Company accordingly, with the same privileges as to voting as shareholders under the Order of 1862.

Capital created by Company under Order part of their general capital.

22. Provided that no new share or new stock issued under this Order shall bear any fixed or preferential dividend beyond the rate of six pounds per centum per annum on the amount from time to time paid thereon, and that all new shares of the same class shall bear like dividend and confer like privileges.

Restrictions as to new shares.

Hastings.

Quorum of general meetings.

23. The quorum of every general meeting of the Company shall be seven shareholders, present personally or by proxy, holding in the aggregate not less than five thousand pounds in the capital of the Company.

Increase of number of directors.

24. The number of directors of the Company shall be not more than seven or less than three.

Power to borrow.

25. The Company may from time to time under this Order borrow on mortgage at interest money required for the purposes of the works authorized by this Order not exceeding the sum of ten thousand pounds, but no money shall be borrowed until the whole of the additional capital of thirty thousand pounds is subscribed for or taken, and until one-half thereof is actually paid up, and until the Company prove to the justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40 (before he so certifies), that the whole of the capital has been issued and accepted, and that one-half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide, and is held by subscribers or their assigns, and that the subscribers or their assigns are legally liable for the same (of which proof having been given the certificate of such justice under that section shall be sufficient evidence).

Receiver.

26. The mortgagees of the Company under this Order may enforce the payment of the arrears of interest or of the arrears of principal and interest due on their respective mortgages by the appointment of a receiver; the amount to authorize a requisition for a receiver shall be three thousand pounds.

Priority of existing mortgages.

27. All mortgages and bonds granted by the Company under any former Order, and subsisting at the time of the confirmation of this Order, shall, during their respective continuance, have priority over any mortgage to be granted under this Order.

No interest or dividend on calls.

28. The Company shall not, out of any money raised under this Order by calls or borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of shares held by him, but this provision shall not prevent the Company paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money to be applied to purposes of Order.

29. Every part of the money raised under this Order shall be applied only for purposes authorized by this Order.

Restriction on use of pier.

30. Nothing in this Order shall entitle any person from any vessel or boat to ship or unship at the pier authorized by this Order any sheep, cattle, or merchandise, or to ship or unship there anything which in the judgment of the Company might in any manner interfere with the use of the pier for recreation or for the embarking or landing of passengers.

Limits of harbour.

31. The limits within which the Company shall have authority (which shall be deemed the limits of the Order of 1862, and of The Hastings Harbour Amendment Order, 1865, and of this Order) shall be the boundaries of the borough of Hastings.

Part of Harbours Clauses Act not incorporated.

32. Sections 16, 17, 18, and 19 of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order.

33. The

33. The Company shall be the harbour authority for or in connexion with the pier and harbour authorized by the Order of 1862, and the pier authorized by this Order, within the prescribed limits. *Hastings.* Harbour authority.

34. The costs, charges, and expenses of applying for and obtaining this Order, or preparatory or incident thereto, shall be paid by the Company. Expenses of Order.

35. This Order may be cited as The Hastings Harbour (Alexandra Pier) Order, 1866. Short title.

SCHEDULE to which the foregoing Order refers.

ADDITIONAL RATES FOR THE PIER AUTHORIZED BY THE ORDER OF 1862, AND FOR THE PIER AUTHORIZED BY THE FOREGOING ORDER.

	s.	*d.*
For every Bath or sedan chair, for each time, not exceeding	*0*	*6*
For every perambulator, for each time, not exceeding	*0*	*4*
For every trunk, portmanteau, box, parcel, or other package of passengers luggage landed or shipped, not exceeding in weight 28 lbs.	*0*	*2*
Over 28 lbs. and not exceeding 84 lbs.	*0*	*4*
Over 84 lbs. and not exceeding 112 lbs.	*0*	*5*
Over 112 lbs. and not exceeding 140 lbs.	*0*	*6*
Over 140 lbs. and not exceeding 196 lbs.	*0*	*7*
Over 196 lbs. and not exceeding 2 cwt.	*0*	*8*

NEWLYN.

Order for the Construction Maintenance and Regulation of a Pier and Harbour at Newlyn, in the County of Cornwall. *Newlyn.*

1. The following persons, namely, Henry Peter Andrewes, Reuben Birch, Charles Lempriere, Charles Arthur Turner, and all other persons and corporations subscribing to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making, maintaining, and regulating the harbour and works authorized by this Order, and for those purposes shall be and are hereby incorporated by the name of The Newlyn Pier and Harbour Company, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Order. Incorporation of Company.

2. The Newlyn Pier and Harbour Company, in this Order called the Company, shall be the undertakers of the works authorized by this Order. Undertakers.

3. The Companies Clauses Consolidation Act, 1845, and Part I. of The Companies Clauses Act, 1863, are hereby incorporated with this Order. Incorporation of Clauses Acts.

4. The capital of the Company shall be thirty thousand pounds, in three thousand shares of ten pounds each. Capital.

5. The Company shall not issue any share created under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and Shares not to be issued until one-fifth paid up.

Newlyn.

and until a sum not being less than one-fifth part of the amount of such share has been paid in respect thereof.

Calls.

6. No call shall exceed two pounds ten shillings a share, or be made payable within three months of a previous call.

Power to create preference shares.

7. The Company, with the sanction of at least three-fifths in value of the votes of the shareholders present, in person or by proxy, at a general meeting specially convened for that purpose, may attach to all or any of the then unissued shares, not exceeding one-third part of the capital, dividend at a rate not exceeding five pounds per centum per annum, in priority to the dividend on the other shares of the capital.

Borrowing on mortgage.

8. The Company, from time to time, may borrow on mortgage at interest, any sum or sums of money not exceeding in the whole ten thousand pounds; but no money shall be so borrowed until the whole of the capital of thirty thousand pounds is subscribed for, and one-half thereof is paid up, and the Company satisfy the justice who certifies under Section 40 of The Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of the capital has been issued and accepted and that one-half thereof has been paid up and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the capital was issued bonâ fide and is held by registered holders thereof, legally liable for so much thereof as is not paid up (of which satisfaction the certificate shall be conclusive evidence).

Receiver.

9. The mortgagees of the Company may enforce the payment of the arrears of interest, or of principal and interest, due on their respective mortgages by the appointment of a receiver, and the amount to authorize a requisition for a receiver is two thousand pounds.

No interest or dividend on calls.

10. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder interest on money advanced by him beyond the amount of calls actually made in conformity with The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit.

11. The Company shall not, out of any money so raised, pay or deposit any money required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied for purposes of Order.

12. Every part of the money so raised shall be applied only for the purposes authorized by this Order.

First general meeting.

13. The first general meeting of the Company shall be held within twelve months after the passing of an Act of Parliament confirming this Order, at such time and place as the directors determine.

Number of directors.

14. The number of directors shall not be more than nine or less than five.

Quorum of directors.

15. The quorum of a meeting of directors shall be three.

First directors.

16. Henry Peter Andrews, Reuben Birch, Charles Lempriere, Charles Arthur Turner, with such other shareholders (if any) as they add to their number shall be the first directors, and the first directors shall continue in office till the first general meeting of the Company, when they shall retire from office and directors shall be elected by the meeting, the retiring directors being eligible.

17. The

Newlyn.

Qualification.

17. The qualification of a director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of shares in the capital of the Company to the aggregate nominal amount of at least one hundred pounds.

Remuneration.

18. The renumeration of the directors shall from time to time be fixed by a general meeting, and shall be divided among the directors as they determine.

Power to take lands by agreement.

19. For the purposes of the works authorized by this Order the Company may from time to time by agreement enter on, take, and use all such parts of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the proposed pier, harbour, and works, and the conveniences connected therewith.

Incorporation of Lands Clauses Acts.

20. The Lands Clauses Consolidation Act, 1845, except so much thereof as relates to the purchase or taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, are hereby incorporated with this Order.

Power to make works.

21. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections (as far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier, harbour, and works authorized by this Order.

Description of works.

22. The works authorized by this Order comprise the following:

A pier, jetty, quay, and landing place, commencing at a point on the Green Rock, immediately adjoining the north-east end of the boat-house or fish-cellar, in the occupation of Robert James, in Newlyn, in the Parish of Paul, in the County of Cornwall, and extending seawards in a direction east north-east 1250 feet or thereabouts, and thence in a direction north north-east 250 feet or thereabouts;

and all proper works, approaches, and other conveniences, for the embarking and landing of passengers, fish, goods, and merchandise, and other purposes connected therewith.

Limits of the harbour.

23. The limits of the harbour shall include the lands, fore-shore, and bed of the sea contained within the following lines:—

An imaginary line commencing at a point 100 yards south of the Green Rock aforesaid, and running out seawards parallel with the pier, in a direction east north-east to a point 100 yards beyond the seaward termination of the pier, thence in a north-westerly direction to the Larrigan rocks, in the parish of Madron, and to the road leading from Penzance to Newlyn, and thence along the south-east side of that road in a southerly direction to Tolcarn, in the same parish, and thence along the land line to the causeway leading to the said boat-house or fish cellar, thence along the extreme south side of the causeway leading to the Green Rock, thence along the land line in a southerly direction, and terminating at the point of commencement.

Power to take rates in Schedule.

24. The Company may demand and take in respect of the vessels, persons, fish, animals, and goods, in the schedule to this Order specified, any sums not exceeding the rates in that schedule specified.

Newlyn.

Extra rates for vessels staying in harbour.

25. The Company by a bye-law may fix reasonable periods, not less than fourteen days each, after which vessels shall not be permitted to remain in the harbour without payment of such additional tonnage rates as the Company think reasonable, not exceeding the original rate, for all or any part of every period in excess of the first period.

Pass-tickets for use of pier.

26. The Company may grant to passengers and others pass-tickets for the use of the pier, on such terms and for such periods, not exceeding one year, as are agreed on.

Pass-tickets not transferable.

27. A pass-ticket granted by the Company shall not be transferable, and shall not be used by any person other than the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings, recoverable and applicable as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the Special Act.

Exemption of custom-house officers from rates.

28. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, through, from, and out of the pier, harbour, and works by land and with their vessels and otherwise without payment.

Certain fishing vessels under stress of weather exempt from rates.

29. Fishing vessels belonging to countries with which for the time being treaties exist, exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom, shall, when forced by stress of weather to make use of the pier and harbour authorized by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Application of rates.

30. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise :—

(1.) To the maintenance of the works authorized by this Order.

(2.) In payment to an extent not exceeding one-fifteenth part of the rates of any rent or rent-charge payable in respect of any lands acquired by the Company under this Order.

(3.) In payment of the interest accruing on money borrowed under the authority of this Order.

(4.) For the other purposes of the Company, including repayment of the principal of the money so borrowed when due and payable.

Steam-engines, lighters, &c.

31. The Company may provide and use such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, barges, boats, cranes, buoys, mooring posts, mooring craft, weighing machines, tackle and other machinery, vessels, apparatus, and conveniences, as they think proper for carrying on the business of the Company, or for any of the purposes of this Order, and may demand and take such sums for the use thereof as they think reasonable.

Lifeboats, tide gauges, &c.

32. Notwithstanding anything in The Harbours, Docks and Piers Clauses Act, 1847, it shall not be necessary for the Company to provide any life-boat, mortar, rockets, tide gauge, weather gauge, or barometer, except on a requisition in that behalf by the Board of Trade.

33. The

33. The Company shall have the appointment of meters and weighers within the limits of the harbour, and the works and lands of the Company adjoining or near to the harbour. *Newlyn.* Meters and weighers.

34. The limits within which the lawful authority of the harbour master for the regulation of the harbour may be exercised shall be the harbour and the works and lands of the Company adjoining and near to the harbour. Limits of harbour master's authority.

35. The Company shall be a pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on pilotage authorities. Pilotage.

36. This Order may be cited as The Newlyn Pier and Harbour Order, 1866. Short title.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels and Boats using the Harbour, or Piers or Works of the Company.

		s.	d.
1.	Fishing boats or smacks, whether wholly or partially decked or open, for each time of using the Harbour	2	6
If compounded for.	Ditto, ditto, where the same are under the burden of 5 tons,— For not exceeding three months	7	0
	For exceeding three months and not exceeding six months	12	0
	For exceeding six months and not exceeding one year	20	0
	Ditto, ditto, where the same exceed 5 tons and are under the burden of 10 tons,— For not exceeding three months	10	6
	For exceeding three months and not exceeding six months	18	0
	For exceeding six months and not exceeding one year	30	0
	Ditto, ditto, where the same exceed 10 tons and are under the burden of 15 tons,— For not exceeding three months	14	0
	For exceeding three months and not exceeding six months	21	0
	For exceeding six months and not exceeding one year	40	0
	Ditto, ditto, where the same exceed 15 tons and are under the burden of 20 tons,— For not exceeding three months	21	0
	For exceeding three months and not exceeding six months	36	0
	For exceeding six months and not exceeding one year	60	0
2.	Open pleasure boats, for each time of using the Harbour	1	6
If compounded for.	Ditto, ditto, for not exceeding three months	15	0
	Ditto, ditto, for exceeding three months and not exceeding six months	20	0
	Ditto, ditto, for exceeding six months and not exceeding one year	30	0
3.	Other vessels taking in or discharging any cargo:— For every vessel under the burden of 15 tons, per ton	0	4

	s.	d.
For every vessel of the burden of 15 tons, and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6
4. Other vessels entering the Harbour, but not discharging or taking in any cargo, namely,—		
Vessels with cargo, per ton	0	6
Ditto, light or in ballast, per ton	0	4

II.—Rates on Fish and Goods shipped or unshipped or transhipped within the Limits of the Harbour.

Ale and porter, per hogshead	0	6
Ditto, per barrel	0	3
Anchors, per cwt.	0	9
Ditto stock, per foot	0	2
Beef or pork, per ton	1	4
Ditto, ditto, per barrel	0	2
Bones, per ton	0	6
Bone dust, per ton	0	8
Bricks, per 1,000	0	8
Casks (empty), per puncheon	0	3
Cattle:—		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Sheep and pigs, each	0	6
Chalk, per ton	1	0
Chalk, per cwt.	0	4
Carriages (four-wheeled), each	7	6
Ditto gigs, carts, and other two-wheeled, each	5	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Corn and seeds, per quarter	1	0
Cork, per cwt.	0	6
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs in casks, hampers, or boxes, per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Eggs, per box	0	3
Fish:—		
Herrings, per basket or pad	0	3
Mackerel, per 120	0	2
Pilchards, per hogshead	0	6
Turbot, per score	1	6
Turtle, each	2	6
Other fish, per cwt.	0	3
Ditto, per basket or pad	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
Ditto, per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6

		s.	*d.*
	Ditto, per small crate or case	*1*	*0*
	Glass, per box	*0*	*6*
	Granite, per ton of 14 cubic feet	*1*	*6*
5	Groceries (not enumerated)	*0*	*6*
	Guano, per ton	*1*	*6*
	Gunpowder, per barrel or keg	*0*	*6*
	Hams, bacon, or tongues, per cwt.	*0*	*4*
	Hardware, per ton	*2*	*6*
10	Hares and rabbits, per dozen	*0*	*4*
	Hay, per ton	*1*	*6*
	Ditto per truss	*0*	*2*
	Hemp, per ton	*2*	*0*
	Hides	*0*	*3*
15	Ox, cow, or horse (wet or dry), each	*0*	*2*
	Iron:—		
	Bar, bolt, rod and shots, per ton	*1*	*6*
	Pig and old, per ton	*1*	*0*
	Manufactured, per ton	*2*	*6*
20	Pots, each	*0*	*1*
	Kelp, per ton	*2*	*0*
	Lead, per ton	*2*	*6*
	Leather, tanned and dressed, per cwt.	*0*	*3*
	Lime, per 28 bushels	*1*	*4*
25	Limestone, per ton	*1*	*0*
	Machinery, per ton	*2*	*6*
	Manure (not enumerated), per ton	*1*	*0*
	Masts and spars, 10 inches in diameter and upwards, each	*4*	*6*
	Ditto, under 10 inches	*3*	*0*
30	Meat (fresh), per cwt.	*0*	*6*
	Milk, per gallon	*0*	*0½*
	Musical instruments, per cube foot	*0*	*1*
	Net, per 5 cube feet	*0*	*4*
	Oakum, per cwt.	*0*	*2*
35	Oils, per tun	*2*	*0*
	Oilcake, per ton	*2*	*0*
	Oranges and lemons, per box	*0*	*6*
	Ores, per ton	*1*	*0*
	Oysters, per bushel	*0*	*3*
40	Paint, per cwt.	*0*	*4*
	Pitch and tar, per barrel	*0*	*6*
	Potatoes, per cwt.	*0*	*2*
	Poultry and game, per dozen	*0*	*4*
	Rags and old rope, per ton	*2*	*0*
45	Sails, per cwt.	*0*	*6*
	Salt, per cwt.	*0*	*1*
	Sand, per ton	*1*	*0*
	Shrimp baskets, each	*0*	*2*
	Skins:—Calf, goat, sheep, lamb, or dog, per dozen	*0*	*6*
50	Slates, per ton of 24 cubic feet	*2*	*0*
	Spirits (Foreign and British), per hogshead	*1*	*0*
	Ditto, ditto, per gallon	*0*	*1*
	Stones, per ton of 16 cubic feet	*1*	*6*
	Steel, per ton	*3*	*0*
55	Sugar, per cwt.	*0*	*3*
	Tallow, soap, and candles, per cwt.	*0*	*3*
	Tea, per chest	*1*	*0*
	Tiles, per 1,000	*1*	*6*
	Tin and zinc, per ton	*3*	*0*
60	Tobacco, per cwt.	*0*	*6*

	s.	d.
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Vegetables (not enumerated), per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
Ditto bottled, per dozen	0	2
Wood:—		
Fir, pine and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per fathom of 216 cubic feet	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter, per 120	5	0
Ditto, 2½ inches in diameter and under, per 120	4	0
Ditto, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
Ditto, above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
Ditto, exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other goods not particularly enumerated.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight of measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates is to be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st, Rate of Craneage.

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton and not exceeding 2 tons	0	6
„ 2 tons „ 3 tons	0	8
„ 3 tons „ 4 tons	0	10
„ 4 tons „ 5 tons	1	0
„ 5 tons „ 6 tons	1	2
„ 6 tons „ 7 tons	1	4
„ 7 tons „ 8 tons	1	6
„ 8 tons „ 9 tons	1	10
„ 9 tons „ 10 tons	2	4
„ 10 tons	3	6

2d, Weighing Machines.

	s.	d.
For goods weighed, for every ton or part of a ton - - -	0	3

3d, Shed Dues.

For every ton of goods of 40 cubic feet, for every ton of goods of 20 cwt. which remains in the warehouses or sheds, or other works of the Company, for not longer than 48 hours - - -	0	3
And per ton for each day during which the goods remain after first 48 hours - - - - - - - -	0	1½
For any portmanteau, trunk, parcel, or other article of passengers luggage, for every day or part of a day - - - -	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton - - - - - - - - -	0	6

V.—Rates on Passengers and others using the Pier.

For every passenger or other person landing on or embarking on the pier from or to any vessel or passage boat, or any other boat not being then employed in the trade of fishing, for every time -	0	4
For every person using the pier for pleasure or any purpose, except for so landing or embarking, for every time - - -	0	2
For every Bath or sedan chair taken on the pier, for every time -	0	6
For every perambulator taken on the pier, for every time - -	0	2
For every master of any vessel or boat being an inhabitant of the town of Penzance or Newlyn, and using the pier for going to or returning from his own vessel or boat, for any purpose other than in connexion with the trade of fishing, the yearly sum of -	20	0
For every fisherman, being an inhabitant of the town of Penzance or Newlyn, and using the pier for going to or returning from his own vessel or boat, then employed in the trade of fishing, the yearly sum of - - - - - - - -	5	0
For every other fisherman using the pier for coming to or returning from his own vessel or boat, then employed in the trade of fishing, for every time - - - - - - -	0	2

VI.—Rates on Passengers Luggage landed or embarked or transhipped within the Harbour.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding - - - -	0	2
Exceeding 28 lbs. and not exceeding 84 lbs. - - - -	0	4
,, 84 lbs. ,, 112 lbs. - - - -	0	5
,, 112 lbs. ,, 140 lbs. - - - -	0	6
,, 140 lbs. ,, 196 lbs. - - - -	0	7
,, 196 lbs. ,, 2 cwt. - - - -	0	8
And for every cwt. exceeding 2 cwt. - - - -	0	4
And for every 20 lbs. weight in addition - - -	0	1

Pier and Harbour Orders Confirmation (No. 2).

A

B I L L

For confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Clynder, Hastings, and Newlyn.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Monsell.*)

Ordered, by The House of Commons, *to be Printed*, 30 *May* 1866.

[Bill 170.]

Under 3 oz.

A

B I L L

TO

Amend the Act providing Superannuation Allowances to Officers of Unions and Parishes, and to make other Amendments in the Laws relating to the Relief of the Poor.

Preamble.

WHEREAS it is expedient that the Act providing Superannuation Allowances to Officers of Unions and Parishes should be amended, and that certain other Amendments should be made in the Laws regulating the Relief of the Poor in England: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Registrar of Births and Deaths may be superannuated.

1. The Superintendent Registrar and the Registrar of Births and Deaths appointed in any Union or Parish shall be deemed an Officer within the Operation of the Statute Twenty-seventh and Twenty-eighth Victoria, Chapter Forty-two, and in computing the Salary of any Officer under that or the present Statute the Amount of the Emoluments of his Office in the Year concluded at the last preceding Quarter may be taken into the Calculation by the Guardians, Managers, or Overseers.

Provision for Relieving Officers who have also been Registrars.

2. Where any Relieving Officer of any Union or Parish shall have also held the Office of Registrar of Births and Deaths in the same Union or Parish he shall be deemed competent to receive a Superannuation Allowance in respect of such Office of Relieving Officer notwithstanding his having simultaneously held the Office of Registrar, and notwithstanding he shall have resigned his Office of Relieving Officer subsequent to the passing of the last-mentioned Act.

Managers of District Schools empowered to grant Superannuation Allowances.

3. The Board of Management of any District School may exercise the same Power in respect of any Officer of such School in their Service as the Guardians of any Union can do under such last-mentioned Statute with like Consent as therein provided, and shall charge any Allowance to be made by them to the Fund chargeable with the Payment of the Salaries of their Officers.

Evidence of Consent of Poor Law Board.

4. In any Case where the Poor Law Commissioners or the Poor Law Board shall have given or refused, or shall hereafter give or refuse, their Consent, Sanction, or Approval in any Matter where their Order under Seal shall not have been or shall not be expressly required, the Production of any written Document signed or purporting to be signed by a Secretary or Assistant Secretary of the said Commissioners or the said Board shall be prima facie Evidence of the Decision of the said Commissioners or the said Board upon such Matter as aforesaid.

Remission of Surcharges and Disallowances need not be made by Order under Seal.

5. So much of the Fourth Section of the Statute of the Eleventh and Twelfth Years of the Reign of Her Majesty, Chapter Ninety-one, as requires the Poor Law Board to issue an Order under their Seal in Cases where they direct any Surcharge or Disallowance made by an Auditor to be remitted, shall be repealed; and such Direction, if given in Writing under the Hand of the President of the said Board, and countersigned by a Secretary or Assistant Secretary, shall have the same Effect as if such Direction were given by such an Order as aforesaid.

Effect of an Extraordinary Audit.

6. When the Poor Law Board shall require an Auditor to hold an Extraordinary Audit of the Accounts of any Guardians or Overseers, or of any Officer, whether still continuing or upon his Resignation or Removal from Office, such Audit shall be deemed to be an Audit within the Meaning of the several Acts relating to the Audit of the Accounts of the Poor Rate, and may be held after *Three Days* Notice thereof given in the usual Manner.

Auditor empowered to inspect

7. The Auditor who shall be authorized to audit the Accounts of any Guardians, Overseers, or Officers may, at any Time, when authorized

authorized or required by the Poor Law Board so to do, inspect the Accounts and Books of Account of any Guardians, Overseer, or any Officer liable to account to him; and any such Guardian, Overseer, or Officer who shall thereupon refuse to allow him to inspect the same, or shall obstruct him in such Inspection, or shall conceal any such Account or Book for the Purpose of preventing such Inspection, shall forfeit a Sum not exceeding *Five Pounds*, to be recovered as a Penalty under the Statute of the Fourth and Fifth of King William the Fourth, Chapter Seventy-six, and to be applied to the Use of the Parish or Union for which such Guardian, Overseer, or Officer respectively shall act.

Books at any Time.

8. The Proviso to Section Twenty-five of the said last-mentioned Statute of King William the Fourth shall be repealed, and in lieu thereof it is provided that the Principal Sum to be raised for the Purposes specified in such Section shall not exceed *One Tenth* of the average annual Amount of the Rates raised for the Relief of the Poor in any such Parish or Union to which such Section applies for the *Three Years* ending at the Easter next preceding the raising of such Money, and when the Board of Guardians of any Union or Parish shall deem it expedient to make any Enlargement, Alteration, or Improvement of their Workhouse, or the Premises, Drainage or other Appurtenances belonging thereto, at a Cost not exceeding *Five hundred Pounds* and the Poor Law Board shall give their Consent thereto, they shall not require any Order of that Board to enable them to execute the same.

Repeal of Part of 4 & 5 W. 4. c. 76. s. 25, and Substitution of another Proviso.

9. Where any Sum of Money has been lawfully raised or borrowed for the Purpose of the Emigration of poor Persons, and the same shall not have been wholly expended for such Purpose, the Poor Law Board may, upon Application from the Overseers of the Parish for whose Use the Sum was raised or borrowed, by their Order under Seal, direct the unexpended Amount of such Sum, where it has not been raised by borrowing, to be applied in aid of the current Rate, and where it has been borrowed to be applied in Reduction of the Balance of the Loan, or in aid of the current Rate, as the Case may require.

Emigration Money how disposed of.

10. No Person shall be qualified to be appointed to be an Overseer of the Poor in any Parish who at the Time of the proposed Appointment shall be an Assistant Overseer of any Parish; and no Person being an Overseer of any Parish shall be qualified to be appointed an Assistant Overseer.

The same Person not to be Overseer and Assistant Overseer.

One Overseer only may be appointed for small Parishes.

11. If in any Parish it shall appear to the Justices who are required to appoint Overseers that Two Overseers cannot be conveniently appointed from the Inhabitant Householders thereof, such Justices may appoint *One* only, and if it shall appear to them that there is no such Householder liable or fit to be appointed, they shall appoint some Inhabitant Householder of an adjoining Parish willing to serve to be such Overseer, either with or without an annual Salary to be paid out of the Poor Rate of the Parish, which last-mentioned Appointment shall endure until the usual Time of the Appointment of Overseers, and may be renewed from Year to Year as long as the Justices shall find necessary.

The Offices of Churchwarden and Overseer may be held by the same Person.

12. In any Parish the same Person may hold jointly the Offices of Churchwarden and Overseer, if in the Opinion of the Justices appointing the Overseers it shall be expedient, regard being had to the State of the Parish, that he should do so.

The 13 & 14 Vict. c. 101. s. 10. extended to the County Rate.

13. The Provisions of the Tenth Section of the Statute of the Thirteenth and Fourteenth Years of Her Majesty, Chapter One hundred and one, shall extend to the County Rate or other Rate in the Nature of a County Rate levied upon the Part of the Parish therein described, situated without the Borough, and the Auditor shall have the same Power, and be under the same Obligation, to allow or disallow Accounts audited by him under the Provisions of the Third Section of the Statute of the Twelfth and Thirteenth Years of Her Majesty, Chapter Sixty-five, and of the Thirty-third Section of the Statute of the Fifteenth and Sixteenth of Her Majesty, Chapter Eighty-one, and to surcharge, certify, and recover all such Sums as he shall find due from the Persons accounting or making or authorizing any Payment, with the like Right of Appeal to any Person aggrieved by his Decision, as in the Case of the Poor Rate; and the Poor Law Board may, as and when they shall see fit, make Regulations for the keeping of the said Accounts herein-before mentioned or referred to.

Persons relieved out of the Workhouse refusing to perform Task of Work rendered liable to be punished under the 5 G. 4. c. 83.

14. When the Guardians of any Union or Parish shall prescribe a Task of Work to be performed by any poor Person, to whom, or to whose Wife or Child, whether legitimate or illegitimate, under the Age of Sixteen, Relief shall have been lawfully granted by such Guardians out of the Workhouse, such Task being suited to the Age, Sex, Strength, and Capacity of such Person, and being of a Nature and Description of which the Poor Law Board shall have previously approved, and such Person shall refuse or wilfully neglect to perform such Task, or shall wilfully destroy or damage any of the Tools, Materials, or other Property belonging to the said Guardians, he

he shall be deemed to be an idle and disorderly Person within the Meaning of the Eighty-third Chapter of the Statute of the Fifth Year of King George the Fourth, and shall be liable to be prosecuted and punished in the Manner therein provided in respect of idle and disorderly Persons; and the Fifty-ninth Section of the One hundred and first Chapter of the Statute of the Seventh and Eighth Years of Her present Majesty shall apply to any such Prosecution.

The Limits imposed by 7 & 8 Vict. c. 101. s. 51. and the 14 & 15 Vict. c. 105. s. 6. withdrawn.

15. So much of the Fifty-first Section of the said last-mentioned Statute as limits the Distance within which Children may be sent to the School of any District formed under the said or any subsequent Statute from any Parish or Union not combined therein, and so much of the Sixth Section of the Statute of the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred and five, as limits the Distance within which Children may be sent from one Workhouse to another, are hereby repealed.

Amendment of 24 & 25 Vict. c. 55. s. 3.

16. In Clause Three of the Statute Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Fifty-five, One Year shall be substituted for Three Years.

Interpretation of Words. Interpretation of Terms and Consolidation of the Acts.

17. In all Statutes, except there shall be something in the Context inconsistent herewith, the Word "Parish" shall among other Meanings applicable to it signify a Place for which a separate Poor Rate is or can be made, or for which a separate Overseer is or can be appointed, and all the other Words used herein shall be construed in the like Manner as in the said Statute passed in the Fourth and Fifth Years of King William the Fourth; and the Provisions contained therein and in the subsequent Statutes explaining and extending the same, and not repealed, shall, so far as they shall be consistent herewith, be extended to this Statute.

Short Title.

18. This Act may be cited and described for all Purposes as "The Poor Law Amendment Act of 1866."

Poor Law Amendment.

A

B I L L

To amend the Act providing Superannuation Allowances to Officers of Unions and Parishes, and to make other Amendments in the Laws relating to the Relief of the Poor.

(*Prepared and brought in by Mr. Gathorne Hardy and Mr. Earle.*)

Ordered, by The House of Commons, *to be Printed,* 18 *July* 1866.

[Bill 221.]

Under 1 *oz.*

A

B I L L

TO

Provide for Superannuation Allowances to Officers employed in Parishes in Scotland in the Relief of the Poor.

Preamble.

WHEREAS it is expedient that Provision should be made to enable Superannuation Allowances to be granted to Officers employed in Parishes or Combinations of Parishes in Scotland in administering the Law relating to the Management or Relief of the Poor, and who become disabled from Infirmity or Age to discharge the Duties of their Offices: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Parochial Boards may grant Superannuation Allowances to their Officers.

1. The Parochial Board of Managers of the Poor in any Parish or Combination of Parishes in Scotland, may, at their Discretion, with the Consent of the Board of Supervision for Relief of the Poor in Scotland, grant to any Officer whose whole Time has been devoted to the Service of such Parochial Board, and who shall become incapable of discharging the Duties of his Office with Efficiency, by reason of permanent Infirmity of Mind or Body, or of old Age, upon his resigning or otherwise ceasing to hold his Office, an annual Allowance not exceeding in any Case *Two Thirds* of his then Salary, whether

whether computed according to a fixed Sum or to a Poundage, and shall charge such Allowance against, and pay the same out of the same Fund or Assessment as that against which such Salary would have been charged or paid out of if he had continued in Office.

Allowances to be alimentary.

2. The said Allowance shall be alimentary, and shall be payable to or in trust for such Officer only, and shall not be assignable, nor subject to the Diligence of his Creditors, nor capable of being affected by his Debts or Deeds.

Age and Term of Service.

3. No Officer shall be entitled to such Allowance on the Ground of Age, who shall not have completed the full Age of *Sixty Years* and shall not have served as an Officer of some Parish or Combination of Parishes in administering the Law relating to the Management or Relief of the Poor in Scotland for *Twenty Years* at the least.

Notice to be given.

4. No Grant shall be made without *One Month's* previous Notice, to be specially given by written or printed Billets to every Member of the Parochial Board of the Parish or Combination of Parishes, of the Proposal to make such Grant and the Time when it shall be brought forward.

Interpretation.

5. The Words and Expressions herein used shall be interpreted in the Manner prescribed by the Statute of the Eighth and Ninth of Victoria, Chapter Eighty three, and the subsequent Acts amending and explaining the same.

Poor Law Officers Superannuation (Scotland).

A

B I L L

To provide for Superannuation Allowances to Officers employed in Parishes in Scotland in the Relief of the Poor.

(*Prepared and brought in by The Lord Advocate, Mr. Solicitor General for Scotland, and Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed*, 12 *March* 1866.

[Bill 66.]

Under 1 *oz.*

A

B I L L

TO

Enable Boards of Guardians in Ireland to bury poor Persons who may not during Life have been relieved out of the Poor Rates.

WHEREAS it is expedient that Provision shall be made for the decent Burial of poor Persons in Ireland whose Relatives may be unable to provide Means for such Purpose, although such Persons may not at the Time of their Death have been in Receipt of Relief under the Acts in force for the Relief of the Poor in Ireland, or dependant for Support on any Person receiving such Relief: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after the *passing of this Act*, it shall be lawful for the Clerk of the Union of any Union in Ireland to provide Coffins and other Necessaries for the decent Burial of poor Persons dying within such Union, although such Persons may not at the Time of their Death have been in Receipt of Relief under the Acts for the Relief of the Poor in Ireland, or dependant for Support on any Person receiving such Relief. The Clerk of each Union shall provide Means for the decent Burial of poor Persons dying in such Union, in certain Cases.

2. It

The Clerk of the Union not to act without the Certificate of Relieving Officers and elected Guardians of Electoral Division in which Deceased died, or an ex officio Guardian.

2. It shall not be lawful for any Clerk of the Union in Ireland to provide Coffins or other Necessaries for the decent Burial of any Person under this Act, unless a Certificate shall have been previously lodged with him, signed by the Relieving Officer of the Union, or of that District of the Union in which the Electoral Division is situated, in which the deceased Person was living at the Time of his Death, and by the elected Guardian or One of the elected Guardians of the same, or by said Relieving Officer and an ex officio Guardian of the Union, stating that in their Opinion the Relatives of the deceased Person are unable to provide Means for the decent Burial of such Person, and that it is fit that the Expense of such Burial shall be paid out of the Poor Rate.

Guardians to charge the Expense on the Rates of the Electoral Division or of the Union in which the Deceased had lived, as the Case may be.

3. It shall be lawful for the Guardians of the Poor of each Union in Ireland, and they are hereby required, to charge on the Rates of the Electoral Division or of the Union, in like Manner as said deceased Person would have been chargeable if he had received Relief during Life, the Expense of providing any Coffin or other Necessaries that may be procured under the Provisions of this Act, by their Clerk, for the decent Burial of any poor Person dying within such Union.

Certificate may be objected to, and Expenses of Burial paid under it may be recovered from the Parties who signed the same, in certain Cases.

4. All Certificates granted under this Act shall be laid by the Clerk of each Union in Ireland before the Board of Guardians of the same at the next Meeting of the Guardians which shall take place after the Clerk has acted on such Certificate, and it shall be lawful for any Guardians then present to object to the Propriety of such Certificate, and to give Notice that at the next Meeting of the Board he will move that the Parties signing such Certificate shall repay the Expenses which have been incurred under it to the Electoral Division or to the Union to which such Expense shall have been charged, and Copies of this Notice shall be sent by the Clerk to the Parties who signed such Certificate; and in case such Motion shall be carried at the next Meeting of the Board or any Adjournment thereof, the Expenses incurred under said Certificate shall be recoverable from all or any of the Parties who signed the same, by a Summons at Petty Sessions, in the Name of the Clerk of the Union, on Proof of the passing of said Resolution, and the Amount recovered shall be credited to the Electoral Division to which the Expense of Burial shall have been charged.

Poor Law Commissioners to provide Forms and fix Limits of

5. The Commissioners for administering the Laws for the Relief of the Poor in Ireland shall cause to be provided such Forms as may be necessary for the carrying out of this Act; and said Commissioners shall have Power from Time to Time to fix what shall be

be the Limit of the Sum which shall be allowed for providing Coffins and other Necessaries for the decent Burial of poor Persons under this Act in each Union in Ireland, regard being had to the Circumstances of the Union; and no greater Sum shall be allowed in any Case of any Board of Guardians than the Limit of the Sum which shall be fixed as aforesaid for that Union. Expenses to be allowed in each Union.

6. The several Acts for the Relief of the Poor now in force in Ireland and this Act shall be construed as One Act, save so far as the same are inconsistent one with the other, and the Words herein used shall be interpreted in the Manner prescribed by the Acts now in force. Former Acts and this Act to be construed as One.

Poor Persons Burial (Ireland).

A

BILL

To enable Boards of Guardians in Ireland to bury poor Persons who may not during Life have been relieved out of the Poor Rates.

(Prepared and brought in by
Sir Hervey Bruce, Sir Colman O'Loghlen, and
Mr. Peel Dawson.

Ordered, by The House of Commons, *to be Printed,*
22 *March* 1866.

[Bill 88.]

Under 1 *oz.*

LORDS AMENDMENTS

TO

POOR PERSONS BURIAL (IRELAND) BILL.

Note.—*The Page and Line refer to the Bill* (77.) *as first printed by the Lords.*

Page 1.

In the Title. Line 4. Leave out ("bury") and insert ("provide Coffins and Shrouds for the Burial of")

Line 15. After ("administrating") insert ("the Laws for")

Line 16. After ("Coffins") insert ("and Shrouds")

Page 2.

Line 6. After ("Death") insert Clause A.

CLAUSE A. It shall not be lawful for any Board of Guardians in Ireland to provide Coffins and Shrouds for the Interment of any Person or Persons under this Act, unless a Certificate shall have been previously lodged with the Clerk of the said Union, signed by the Relieving Officer of the Union, or of that District of the Union in which the Electoral Division is situated in which the deceased Person was living at the Time of his Death, and by the elected Guardian or One of the elected Guardians of the same, or by the said Relieving Officer and an ex officio Guardian of the Union residing within the District, stating that in their Opinion the Relatives of the deceased Person are unable to provide Means for the Interment of such Person, or that they cannot be found, and that it is fit that the Expense of such Coffin and Shroud shall be paid out of the Poor Rate.

Coffins, &c. not to be provided by Guardians without Certificate of Relieving Officer, &c.

LORDS AMENDMENTS

TO

POOR PERSONS BURIAL (IRELAND) BILL.

Ordered, by The House of Commons, *to be Printed,*
10 *May* 1866.

[Bill 154.]

Under 1 *oz.*

e substituted for Bill [153.]
already delivered.

A

B I L L

TO

Amend the Law of Rating and Chargeability in Unions in Ireland.

WHEREAS it is expedient to amend the Law of Rating and Chargeability in Poor Law Unions in Ireland: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Provisions requiring separate Assessments on Electoral Divisions of Poor Law Unions.

1. That from and after the *Twenty-ninth Day of September One thousand eight hundred and sixty-six*, so much of every Act contained in the Schedule to this Act annexed as authorizes the making of separate Rates on the Electoral Divisions of Poor Law Unions in Ireland, and so much thereof as provides for the charging of the Expenses or Sums of Money incurred or expended in the Relief of the Poor, or in carrying into execution or for any other Purposes in the said Acts mentioned and provided for, to One or more of the Electoral Divisions of any Union, or on the Rates of any One or more of such Electoral Divisions, shall be and the same is hereby repealed.

Substitution of Union Rating.

2. From and after the said Date, every Rate made by the Guardians of the Poor for the Relief of the Poor in Ireland, or for any of the other Purposes in the said Acts provided for, shall be made upon all the Hereditaments situate in the said Union and rateable under the said Acts or any of them, and thenceforth all Expense incurred by the Guardians or their Officers in the Relief of the Poor, or in carrying into effect any other of the said Purposes, shall be charged to the whole Union and on the Rates made thereon, as herein-before provided.

Provision as to framing Estimate of Sums chargeable on Electoral Divisions of City of Dublin.

3. And whereas by an Act passed in the Thirteenth Year of Her Majesty, intituled "An Act to provide for the Collection of Rates in the City of Dublin," the Board of Guardians of such Union or Part of an Union situate within the District of the Collector General appointed under the Provisions of that Act, is required to estimate and ascertain the Amount of the Sums of Money chargeable on any Electoral Division situate or comprised within the District aforesaid: Be it enacted, That in framing such Estimate the Guardians of each such Union shall estimate and ascertain the Sums so chargeable aforesaid, having regard likewise to the estimated Expenditure of the other Parts of such Union, and so as to enable the whole estimated Expenditure to be levied by an equal Poundage Rate on the rateable Tenements situate in the whole Union.

Poor Law Commissioners to frame necessary Orders.

4. The Commissioners for administering the Laws for Relief of the Poor in Ireland are hereby authorized and required to make and issue all such Orders as may be requisite to render the Proceedings and Accounts of the Guardians of Unions conformable to the Provisions of this Act.

Short Title.

5. This Act may be cited as the "The Union Rating and Chargeability (Ireland) Act, 1866."

SCHE-

SCHEDULE referred to in Clause 1.

The 1st and 2nd Vict. Cap. 56.
6th and 7th Vict. Cap. 92.
10th Vict. Cap. 31.
11th and 12th Vict. Cap. 25.
12th and 13th Vict. Cap. 104.
14th and 15th Vict. Cap. 35.
14th and 15th Vict. Cap. 108.
17th and 18th Vict. Cap. 104.
23rd Vict. Cap. 56.

To be substituted for Bill [153.] already delivered.

Poor Relief (Ireland) Law Amendment.

A

BILL

To amend the Law of Rating and Chargeability in Unions in Ireland.

(*Prepared and brought in by Mr. Charles Barry and Major Gavin.*)

Ordered, by The House of Commons, *to be Printed*, 10 *May* 1866.

[Bill 153.]

Under 1 *oz.*

A

B I L L

TO

Enable the Postmaster General to sit in the House of Commons.

WHEREAS it has been considered that the Office of Postmaster General is a "new Office or Place of Profit "whatsoever under the Crown" according to the true Intent and Meaning of the Act passed in the Sixth Year of the Reign of Queen Anne, Chapter Seven, and that the Person holding the same is thereby incapacitated from sitting or voting as a Member of the House of Commons, and as every other Office or Place of Profit under the Crown held by a Member of the Government, to which the Provisions of the above-mentioned Act would otherwise apply, has been relieved from its Operation by special Enactment in each Case, it is not expedient, with regard to either the Interest or the Dignity of the House of Commons, that One particular Office alone should be prohibited from being held by a Member of that House: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. That from and after the Expiration of the Period during which the Person at present holding such Office shall continue to hold the same, the Office of Postmaster General shall not be deemed to be such Office of Postmaster General not to disqualify

its Holder from sitting as a Member of the Commons House of Parliament.

such an Office as shall render the Person holding such Office incapable of being elected or of sitting or voting as a Member of the Commons House of Parliament, or as shall avoid his Election, if returned, or render him liable to any Penalty for sitting or voting in Parliament, anything contained in the Act passed in the Sixth Year of the Reign of Queen Anne, Chapter Seven, or in any other Act or Acts to the contrary notwithstanding.

Postmaster General.

A

BILL

To enable the Postmaster General to sit in the House of Commons.

(*Prepared and brought in by Mr. Darby Griffith and Mr. Hadfield.*)

Ordered, by The House of Commons, *to be Printed,* 20 *February* 1866.

[Bill 25.]

Under 1 *oz.*

A

BILL

TO

Enable Her Majesty to provide for the Support and Maintenance of His Royal Highness Prince Alfred Ernest Albert on his coming of Age.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, having taken into consideration Your Majesty's most Gracious Message that Your Majesty is desirous of making competent Provision for the honourable Support and Maintenance of Your Majesty's Second Son, His Royal Highness Prince Alfred Ernest Albert, on his coming of Age, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to grant unto His said Royal Highness, or to such Persons as Her Majesty may think fit to name in the said Letters Patent, on trust Power for Her Majesty to grant an Annuity of 15,000*l.* to

Prince Alfred Ernest Albert for Life.

trust for His said Royal Highness, an Annuity of *Fifteen thousand Pounds* for his Life, such Annuity to commence from the Time of His said Royal Highness coming of Age, to be free from all Taxes, Assessments, and Charges, and to be paid quarterly on the *Fifth Day of January*, the *Fifth Day of April*, the *Fifth Day of July*, and the *Tenth Day of October*.

Payment of proportionate Part of Annuity.

2. The First Payment of such Portion of the said Annuity as may accrue between the Date of His said Royal Highness coming of Age and the First of the said quarterly Days which happens after that Date shall be made on such last-mentioned Day, and a proportionate Part shall be payable between the last quarterly Day of Payment and the Day of the Determination thereof: Provided that in the event of His said Royal Highness succeeding to any Sovereignty or Principality abroad it shall be lawful for Her Majesty or Her Successors, with the Consent of Parliament, to revoke or reduce the said Annuity by Warrant under the Sign Manual.

Annuity granted by this Act to be charged on the Consolidated Fund.

3. The Annuity granted in pursuance of this Act shall be charged on and payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing Produce thereof, after paying or reserving sufficient to pay such Sums as may have been directed to be paid out of the said Fund by former Acts of Parliament, but with Preference to all other Payments which may hereafter be charged on the said Fund.

Prince Alfred's Annuity.

A

B I L L

To enable Her Majesty to provide for the Support and Maintenance of His Royal Highness Prince Alfred Ernest Albert on his coming of Age.

(*Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed*, 27 *February* 1866.

[Bill 43.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Enable Her Majesty to provide for the Support and Maintenance of His Royal Highness Prince Alfred Ernest Albert on his coming of Age.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, having taken into consideration Your Majesty's most Gracious Message that Your Majesty is desirous of making competent Provision for the honourable Support and Maintenance of Your Majesty's Second Son, His Royal Highness Prince Alfred Ernest Albert, on his coming of Age, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to grant unto His said Royal Highness, or to such Persons as Her Majesty may think fit to name in the said Letters Patent, on trust Power for Her Majesty to grant an Annuity of 15,000*l.* to

Prince Alfred Ernest Albert for Life.

trust for His said Royal Highness, and subject to such Conditions as Her Majesty may direct, an Annuity of Fifteen thousand Pounds for his Life, such Annuity to commence from the Sixth Day of August One thousand eight hundred and sixty-five, the Day on which His said Royal Highness came of Age, to be free from all Taxes, Assessments, and Charges, and to be paid quarterly on the Fifth Day of January, the Fifth Day of April, the Fifth Day of July, and the Tenth Day of October.

Payment of proportionate Part of Annuity.

2. The First Payment of such Portion of the said Annuity as may have accrued between the said Date of His said Royal Highness coming of Age and the First of the said quarterly Days which happens after the passing of this Act shall be made on such last-mentioned Day, and a proportionate Part shall be payable between the last quarterly Day of Payment and the Day of the Determination thereof: Provided that in the event of His said Royal Highness succeeding to any Sovereignty or Principality abroad it shall be lawful for Her Majesty or Her Successors, with the Consent of Parliament, to revoke or reduce the said Annuity by Warrant under the Sign Manual.

Annuity granted by this Act to be charged on the Consolidated Fund.

3. The Annuity granted in pursuance of this Act shall, if Her Majesty think fit to direct, be a personal and inalienable Provision, and the same shall be charged on and payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing Produce thereof, after paying or reserving sufficient to pay such Sums as may have been directed to be paid out of the said Fund by former Acts of Parliament, but with Preference to all other Payments which may hereafter be charged on the said Fund.

Prince Alfred's Annuity.

A

BILL

[AS AMENDED IN COMMITTEE]

To enable Her Majesty to provide for the Support and Maintenance of His Royal Highness Prince Alfred Ernest Albert on his coming of Age.

(Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,* 5 *March* 1866.

[Bill 48.]

Under 1 *oz.*

A

B I L L

TO

Enable Her Majesty to settle an Annuity on Her Royal Highness the Princess Helena Augusta Victoria.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, having taken into consideration Your Majesty's most Gracious Message, that Your Majesty has agreed to a Marriage proposed between Her Royal Highness the Princess Helena Augusta Victoria and Prince Christian of Schleswig Holstein-Sonderbourg-Augustenburg, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to grant unto Her Royal Highness the Princess Helena Augusta Victoria, or to such Persons as Her Majesty thinks fit, to be named in Power to Her Majesty to grant an Annuity of 6,000*l.* to Her Royal

Highness the Princess Helena Augusta Victoria for Life.

in such Letters Patent, in trust or for the Use of Her Royal Highness, an Annuity of *Six thousand Pounds*, to be settled on Her Royal Highness for Life, in such Manner as Her Majesty thinks proper, such Annuity to commence from the Date of the Marriage of Her Royal Highness with Prince Christian aforesaid, to be free from all Taxes, Assessments, and Charges, and to be paid quarterly on the *Fifth Day of January, the Fifth Day of April, the Fifth Day of July, and the Tenth Day of October;* the First Payment to be made on such of the said quarterly Days as happens next after the said Marriage, of such Portion of the said Annuity as may have accrued between the Date of such Marriage and such quarterly Day, and a proportionate Part to be payable for the Period from the last quarterly Day of Payment to the Day of the Determination thereof.

Annuity charged on Consolidated Fund.

2. The above Annuity shall be charged on and be payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing Produce thereof, after paying or reserving sufficient to pay such Sums as may have been directed to be paid out of the said Fund by former Acts of Parliament, but with Preference to all other Payments which may hereafter be charged on the said Fund.

Princess Helena's Annuity.

A

BILL

To enable Her Majesty to settle an Annuity on Her Royal Highness the Princess Helena Augusta Victoria.

(*Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed,* 27 *February* 1866.

[Bill 42.]

Under 1 *oz.*

A

B I L L

TO

Enable Her Majesty to settle an Annuity on Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth of Cambridge.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, having taken into consideration Your Majesty's most Gracious Message, that Your Majesty has agreed to a Marriage proposed between Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth and His Serene Highness Francis Paul Louis Alexander Prince of Teck, do most humbly beseech Your Majesty that it may be enacted: Preamble.

And be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to grant unto Her Royal Highness the Princess Mary Adelaide Wilhelmina Power to Her Majesty to grant an Annuity of 2,000*l.* to

Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth for Life.

Wilhelmina Elizabeth, younger Daughter of his late Royal Highness the Duke of Cambridge, or to such Persons as Her Majesty thinks fit to be named in such Letters Patent, in trust or for the Use of Her Royal Highness, an Annuity of *Two thousand Pounds*, to be settled on Her Royal Highness for Life, in such Manner as Her Majesty thinks proper, such Annuity to commence from the Date of the Marriage of Her Royal Highness with His Serene Highness Francis Paul Louis Alexander Prince of Teck aforesaid, to be free from all Taxes, Assessments, and Charges, and to be paid quarterly on the *Fifth Day of January, the Fifth Day of April, the Fifth Day of July, and the Tenth Day of October;* the First Payment to be made on such of the said quarterly Days as happens next after the said Marriage of such Portion of the said Annuity as may have accrued between the Date of such Marriage and such quarterly Day, and a proportionate Part to be payable for the Period from the last quarterly Day of Payment to the Day of the Determination thereof.

Annuity to be charged on Consolidated Fund.

2. The above Annuity shall be in addition to the Annuity now enjoyed by Her said Royal Highness under the Act of the Session of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Seventy-seven, and shall be charged on and be payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing Produce thereof, after paying or reserving sufficient to pay such Sums as may have been directed to be paid out of the said Fund by former Acts of Parliament, but with Preference to all other Payments which may hereafter be charged on the said Fund.

Princess Mary of Cambridge's Annuity Bill.

A

BILL

To enable Her Majesty to settle an Annuity on Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth of Cambridge.

(*Prepared and brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, Sir George Grey, and Mr. Childers.*)

Ordered, by The House of Commons, *to be Printed*, 8 *June* 1866.

[Bill 183.]

Under 1 *oz.*

A

B I L L

FOR

The Amendment of the Laws relating to Prisons.

WHEREAS, in pursuance of the Act passed in the Session holden in the Third and Fourth Years of the Reign of His late Majesty King William the Fourth, Chapter Seventy-one, intituled "An Act for the Appointment of convenient "Places for the holding of Assizes in England and Wales," Orders of Her Majesty in Council have been made changing the Places at which Assizes may be held, and with a view to such Changes requiring the Prisoners of certain Prison Authorities to be removed to Prisons beyond the Jurisdiction of such Authorities: Preamble.

And whereas Difficulties have arisen in relation to the Maintenance of the Prisoners so removed:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. Where, in pursuance of any Orders of Her Majesty in Council, Prisoners committed for Offences arising within the Jurisdiction of one Prison Authority herein-after referred to as "the Sending Authority," Maintenance of Prisoners removed out of the Jurisdiction of

the Authority liable to maintain them.

Authority" have been or may hereafter be committed or sent to the Prison of another Prison Authority herein-after referred to as "the Receiving Authority," then, if and so long as no Contract with respect to the Maintenance of such Prisoners exists, all Expenses that have previously to the passing of this Act been incurred or may hereafter be incurred by the Receiving Authority, in the Conveyance, Maintenance, or Care of the Prisoners of the Sending Authority or otherwise by reason of such Prisoners having been committed or sent to the Prison of the Receiving Authority, including a due Proportion of the Salaries of Officers and the Expense of repairing, adding to, or altering the Prison, shall be deemed to be a Debt due from the Sending Authority to the Receiving Authority, and shall be payable out of the same Rate or Funds out of which the Expenses of maintaining the Prisoners of the Sending Authority are by Law payable.

Dispute as to Amount to be determined by Arbitration.

2. Any Dispute as to the Amount of Expenses payable by the Sending Authority to the Receiving Authority, in pursuance of this Act, shall be deemed to be a Difference authorized by The Prisons Act, 1865, to be settled by Arbitration, and the Provisions of the said Act shall apply accordingly.

Time of Payment of Expenses by Sending Authority to Receiving Authority.

3. Payment by the Sending Authority to the Receiving Authority of any Expenses incurred before the passing of this Act shall be made by *Four* equal yearly Instalments, the first of such Instalments to be paid within *Three Months* from *the passing of this Act;* and all Moneys so payable by Instalments shall bear Interest at the Rate of *Four per Centum* per Annum from the Date of the *passing of this Act* until the Time of the Payment thereof.

Payment by the Sending Authority to the Receiving Authority of any Expenses incurred after *the passing of this Act* shall be made half-yearly, or at such other Times as may be determined by the said Authorities; and any Moneys not paid at the Time appointed for the Payment thereof shall bear Interest at the Rate of *Four per Centum* per Annum from such Time until the Time of the Payment thereof.

Custody of Prisoners in Custody of Receiving Authority.

4. The Prison of the Receiving Authority shall, for all the Purposes of and incidental to the Commitment, Trial, Detention, and Punishment of the Prisoners of the Sending Authority, be deemed to have been and to be the Prison of the Sending Authority, except that the Sending Authority shall have no Right to interfere in the Management of the Prison of the Receiving Authority, and that the Prisoners of the Sending Authority shall be in the legal Custody of the Gaoler of the Prison of the Receiving Authority, and shall, as respects

respects Prison Discipline, be in all respects subject to the Jurisdiction of the Receiving Authority.

5. This Act may be cited for all Purposes as The Prisons Act, 1866, and shall, so far as is consistent with the Tenour thereof, be construed as One with the Prisons Act, 1865. Construction of Act.

Prisons.

A

BILL

For the Amendment of the Laws relating to Prisons.

(*Prepared and brought in by Mr. Secretary Walpole and Mr. Solicitor-General.*)

Ordered, by The House of Commons, *to be Printed,* 27 *July* 1866.

[Bill 250.]

Under 1 *oz.*

Prisons (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preliminary.

Preamble :

Sect.

1. Short Title.
2. Commencement of Act.
3. Application of Act.
4. Definition of Terms.

PART I.

THE MAINTENANCE OF PRISONS.

5. Maintenance of Prisons by every County.
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SCHEDULES.

A

B I L L

TO

Consolidate and amend the Law relating to Prisons in Ireland.

WHEREAS it is expedient to consolidate and amend the Laws relating to Prisons in Ireland: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited for all Purposes as "The Prisons Act (Ireland), 1866." Short Title.

2. This Act shall come into operation on the *Day* of *One thousand eight hundred and sixty-six*, which Day is herein-after referred to as the Commencement of the Act. Commencement of Act.

3. This Act shall not extend to England nor Scotland. This Act shall extend to and regulate all Gaols, Prisons, Bridewells, and Places of Confinement in Ireland, except Convict Prisons and Naval or Military Prisons, and Reformatories established under the Provisions of the Twenty-first and Twenty-second Victoria, Chapter One hundred and three. Extent of Act.

Definition of Terms:

4. In this Act, and in any Act applied or incorporated by this Act, the Expressions herein-after mentioned shall have the Meanings herein-after attached to them, unless there is something in the Tenor of the Act inconsistent with such Meanings; that is to say,

"Lord Lieutenant:" "Lord Lieutenant" shall mean Lord Lieutenant of Ireland, and the Lords Justices or other Chief Governors or Governor of Ireland for the Time being:

"Chief Secretary and Under Secretary:" "Chief Secretary" and "Under Secretary" shall mean respectively the Chief Secretary and Under Secretary to the Lord Lieutenant of Ireland:

"County:" "County" shall include every County, City, Town, County of a City, County of a Town, County of a City and Town, Borough, District, and Place in Ireland, in which there is a Grand Jury, Council, Corporation, Committee, or Body exercising the Powers of a Grand Jury as to Presentments:

"Assizes:" "Spring Assizes," in the Application of this Act to the County of Dublin, shall include Presenting Term, and, in the Application of this Act to the County of the City of Dublin, shall include Michaelmas Term: Assizes, besides its ordinary Meaning, shall include Presenting Term, and, in the County of the City of Dublin, Michaelmas Term, and also the Occasions upon which any Grand Jury, Council, Corporation, Committee, or Body authorized by Law to make Presentments shall be duly assembled according to Law for the Purpose of making such Presentments:

"Grand Jury:" "Grand Jury" shall include, besides its ordinary Meaning, every Corporation, Committee, Council, and Body authorized to make Presentments:

"Treasurer of the County:" "Treasurer of the County" shall, besides its ordinary Meaning, include any Person or Persons in any County of a City or Town, or County of a Town and City, Borough, Town, or Place, performing Duties analogous to those of "the Treasurer of the County," in Counties, and in the Application of this Act to the County of Dublin it shall mean the Finance Committee:

"Secretary to the Grand Jury:" "Secretary to the Grand Jury" shall, in Counties within the Meaning of this Act, and in which there shall be no such Officer, include Town Clerk, and any Officer in such Counties who shall perform Duties towards the Fiscal Body therein analogous to those of the Secretary to the Grand Jury in ordinary Counties:

"Board:" "Board" shall mean Board of Superintendence:

"Person:" "Person" shall include Corporation, whether sole or aggregate:

"Clerk

"Clerk of the Peace" in any County within the Meaning of this Act, but in which there shall be no Clerk of the Peace, shall, if the Context so require it, include the Town Clerk of such County or other Officer intrusted with the Custody of the Records of such County: "Clerk of the Peace:"

"Clerk of the Crown" in any County within the Meaning of this Act, but in which there shall be no Clerk of the Crown, shall include the Officer who shall discharge Duties in relation to the Indictment and Trial of Prisoners analogous to the Duties of the Clerk of the Crown in ordinary Counties: "Clerk of the Crown:"

"Criminal Prisoner" shall mean any Prisoner charged with or convicted of a Crime: "Criminal Prisoner:"

"Quarter Sessions" shall include Criminal Quarter Sessions: "Quarter Sessions:"

"Judge of Assize," in the Application of this Act to the County of the City of Dublin and the County of Dublin, shall include the Court of Queen's Bench at Dublin, or any Judge of the said Court: "Judge of Assize:"

"Presentment Sessions" shall, besides its ordinary Meaning, include the Meetings of the Council of the Borough of Dublin, or of a Committee thereof, at which Applications for Presentments are decided upon, in pursuance of the Forty-second Section of the "Dublin Improvement Act, 1849." "Presentment Sessions."

PART I.

The Maintenance and Government of Prisons. Obligation to maintain Prisons.

5. There shall be provided, at the Expense of every County, adequate Accommodation for its Prisoners in a Prison or Prisons constructed and regulated in such Manner as this Act requires; the Grand Jury of every County shall at each Assizes inquire into the State of its Prisons and Bridewells, and shall present all Matters necessary to supply such Accommodation. Maintenance of Prisons by every County. 28 & 29 Vict. c. 126. s. 8. 7 G. 4. c. 74. s. 11.

6. All Expenses necessary for providing such Prison Accommodation shall be raised by the Grand Jury of each County by Presentment, and (in case the County shall be divided into several Baronies or Districts in respect to which Presentments confined to such Baronies or Districts are used) the Presentment shall be levied off such County at large, and where there are no such Baronies or Districts the Presentment shall be levied off such County; and all Laws and Acts of Parliament in force respecting Presentments, and the raising, levying, applotting, assessing, making Rates for, distraining Expenses to be raised by Presentment. 7 G. 4. c. 74. ss. 7, 8, 9, 11, 15. 28 & 29 Vict. c. 126. ss. 8, 9.

distraining for, suing for, recovering, collecting, paying, and accounting for Presentments and presented Monies, shall apply to Presentments made in pursuance of this Act, so far as such Laws and Acts of Parliament are not inconsistent with the express Provisions of this Act.

PART. II.

Building and Maintenance of Prisons by the Grand Jury.

Estimates to be laid before Grand Jury.

7. The Secretary of the Grand Jury at each Spring Assizes shall lay before the Grand Jury the Estimate of Expenses forwarded to him by the Board, in pursuance of Section One hundred and eleven of this Act; and in case such Grand Jury shall consider that such Estimate is either excessive or deficient in Amount, such Estimate shall be submitted to the Judge of Assize, who shall inquire into the same, and such Judge of Assize may increase, diminish, or amend the same as to him shall seem fit; and the Grand Jury are hereby required, without any Proceedings at any Presentment Sessions, to present the Amount of such Estimate to be raised by half-yearly Instalments off the County, and the Treasurer of the County shall pay the same, from Time to Time according as the same shall have been paid in, to the Board; and in case the Grand Jury shall refuse or neglect to make such Presentment, the same shall be made and raised by an Order of the Judge of Assize at such Spring Assizes, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be raised and paid to the Board by the Treasurer accordingly, as if the same had been inserted in a Presentment duly made at the Assizes at which such Order shall be made.

Account to be laid before Grand Jury.

8. The Secretary of the Grand Jury of each County shall at each Spring Assizes lay before the said Grand Jury the Account of Expenditure forwarded to him by the Board, in pursuance of Section One hundred and thirteen of this Act; and the Grand Jury shall examine such Account, and shall make Presentment, without any Proceedings at any Presentment Sessions, for so much of the Amount thereof as shall appear to have been properly expended, and such Amount shall be raised accordingly; and in case the Grand Jury shall refuse or neglect to make such Presentment the same shall be made and raised by an Order of the Judge of Assize, in the Manner mentioned in the last preceding Section; and the Treasurer of the County shall from Time to Time, according as the Amount of such Presentment shall have been paid in, pay the same to the Board.

9. In

9. In order to provide such Prison Accommodation as is required by this Act, every Grand Jury shall have Power to make Presentments for the levying of Monies to be expended in the Purchase of Land, and of Rights and Easements over Lands, and in the building, rebuilding, altering, and enlarging of its Prisons, and in the Execution of all Works, the making and laying of Watercourses, Drains, Mains, and Pipes for the Purpose of supplying Water to its Prisons. Such Presentments shall include all Law, Equity, and Conveyancing Costs and Expenses to be incurred in carrying out such Presentment, and all Costs of Traverses arising out of the same. Such Presentments shall be levied off the respective Counties, or off the respective Counties at large where the said Counties are divided into Baronies or other Divisions.

Grand Jury to have Power to make Presentment for Purchase of Lands, building, rebuilding, altering, and repairing.

10. No Presentment shall be made in pursuance of the Ninth Section of this Act for a Sum exceeding *Three hundred Pounds*, except upon an Application made and adopted or agreed to at Presentment Sessions. Such Application shall state the Amount proposed to be raised by the Presentment, and the general Nature of the Works intended to be done. It need not contain nor be accompanied by any Specifications or Plans of the said Works.

Presentment to be approved of at Sessions.

11. When any Presentment under the Ninth Section of this Act shall include the purchasing of Lands, or of Rights or Easements over Lands, the Presentment, and the Application to Presentment Sessions, shall contain a Description of the Lands intended to be purchased, or over which Rights or Easements are intended to be acquired, stating the Measurement of such Lands, the Parish, or Barony, Town, City, County, or other Place in which such Lands shall be situated, and such further Details as shall be reasonably sufficient to identify the said Lands.

Requisites of Presentment for Purchase of Lands, &c.

12. If the Application for any Presentment under the Ninth Section of this Act shall have been adopted or agreed to at Presentment Sessions, the Grand Jury at the next Assizes shall consider and decide upon such Application, and in case they shall approve thereof they shall present for the same, and the Amount thereof shall be raised and levied accordingly, and such Presentment shall not in any County require to be again laid before Presentment Sessions. It shall be lawful for the Grand Jury, if they shall think fit, to direct that the Amount of the said Presentment shall be raised by half-yearly or yearly Instalments, extending over such Time as they shall think proper, which Time shall be specified in such Presentment, and the Amount thereof shall be raised accordingly.

Levy of Presentments.

7 G. 4. c. 74. s. 16.

 13. When

Amount of Instalments may be increased. 7 G. 4. c. 74. s. 16.

13. When the Amount of any Presentment, under the Ninth Section of this Act, shall have been directed to be raised by Instalments by the Grand Jury making the same, it shall be lawful for the Grand Jury at all subsequent Assizes from Time to Time, and so often as they shall think fit, until the whole of the said Presentment shall have been raised, to increase the said Instalments, and to shorten proportionably the Period over which such Instalments shall extend.

Lord Lieutenant may advance the Amount of the Presentment, to be repaid out of Instalments. 7 G. 4. c. 74. s. 17.

14. *In all Cases where any Presentment under the Ninth Section of this Act shall have been directed to be raised by Instalments, it shall be lawful for the Lord Lieutenant, at any Time after the making of such Presentment, and before the whole thereof shall have been raised, to cause to be advanced out of such Monies as Parliament shall appropriate for the Purpose, to the Treasurer of such County, on the Faith of such Presentment, the whole of the Sum so presented, or so much thereof as shall not have been raised or received at the Time of such Advance, or any Part or Proportion thereof, such Sums to be applied by such Treasurer to the Purposes of such Presentments, and to be repaid by him to the Collector of Inland Revenue of the District, but without Interest, out of such Instalments as may be specified at the Time of advancing the same, a Certificate of which Advance shall be given, without Stamp, by such Treasurer at the Time of receiving such Money; and if at any Time Default shall be made in the Repayment of any such Advance or any Instalment thereof, at the Time when the same respectively shall be payable, the Judge of Assize at the next Assizes shall order the Amount of such Advance or Instalment to be raised, and such Order shall have the Operation of a Presentment. The Amount mentioned therein shall be raised and applied in all respects as if the said Amount was duly presented by the Grand Jury at such Assizes.*

Mode of Payment of Contractor.

15. The Grand Jury originally making any Presentment under the Ninth Section of this Act may, if they shall think fit, present that the Contractor to be employed as herein-after mentioned to carry out such Works shall be entitled to be paid for such Works, in such specified Sums, and at such specified Stages in the Progress of such Works, as the Grand Jury shall think fit. In default thereof such Contractor shall not be paid until such Works shall be completed.

Appointment of Commissioners to carry out Presentment.

16. The Grand Jury making any Presentment under the Ninth Section of this Act shall appoint not less than *Six* nor more than *Twelve* Persons to be Commissioners for causing the said Present-

ment

ment to be carried into execution; and if any of the Persons so appointed decline to act, die, or resign before such Work shall be completed, it shall be lawful for the Grand Jury at the same or any subsequent Assizes to fill up such Vacancies, or, within the Limits aforesaid, to increase the Number of Commissioners originally appointed; provided that the Powers of the Commissioners shall not cease nor be suspended while any such Vacancy shall continue.

7 G. 4. c. 74. s. 18. 19 & 20 Vict. c. 68. s. 6. Bill, s. 137.

17. The Powers of the Commissioners appointed under the Sixteenth Section of this Act may at all Times be exercised by any *Six* of their Number present at any Meeting duly assembled; and as soon as the Works in relation to which such Commissioners shall have been appointed shall be completed, and the Accounts of the same finally passed, the Office and Powers of such Commissioners shall cease and determine.

Quorum of Commissioners. Powers, when to determine. 7 G. 4. c. 74. ss. 18. 41.

18. Such Commissioners shall, at their First Meeting after their Appointment, elect One of their Number to be their Chairman, and, in case of the Absence of the Chairman from any Meeting, the Commissioners then present shall elect One of their Number to be Chairman for the Meeting; and every Question shall be decided by a Majority of Votes (the Chairman, whether permanent or temporary, having a Vote), and in the event of an Equality of Votes on any Question the Chairman for the Time being shall have an additional or Casting Vote.

Commissioners to appoint a Chairman.

19. Such Commissioners shall have Power to nominate a Clerk to assist them in the Execution of the Powers and Authorities vested in them, but the Clerk shall not be one of such Commissioners, and he shall be removable at the Pleasure of the said Commissioners; and it shall be lawful for them to allow him as a Remuneration for his Trouble in the Premises such a Sum as they shall think proper, not exceeding in One Year *Thirty Pounds*, and his Salary shall be included in the Presentment for the Expenses of such Works: Provided that it shall be lawful for the Commissioners to appoint the County Surveyor of the County to which they belong to be their Clerk, without any Remuneration for his Services as such in addition to his Salary as such County Surveyor.

Commissioners to appoint a Clerk. 7 G. 4. c. 74. s. 41.

20. No Works to be executed by such Commissioners shall proceed unless and until the Plans and Specifications thereof shall be approved by the Lord Lieutenant, after a Report thereupon made by One of the Inspectors General of Prisons, and such other Reports and Certificates as the Lord Lieutenant shall appoint; and it shall be lawful for such Commissioners to enter into

Approval of Plans and Specifications by Lord Lieutenant before Commencement of Works. Contracts,

how to be made. 19 & 20 Vict. c. 68. s. 8. 7 G. 4. c. 74. s. 20.

Contracts for the Execution of such Works, after such Approval shall have been obtained; and every such Contract shall be made by means of Tenders, at the most reasonable Price that shall be proposed. The Contractor shall be considered the responsible Person to execute the same. The Contract shall be entered by the Clerk to the Commissioners in a Book to be kept by them; and before entering into any such Contract the Commisssioners shall give Notice Three Times at least in a Newspaper circulating in the County of the Presentment under which they have been appointed, and of their Intention to receive Tenders for the Execution of the Works thereby presented for; and every Contractor shall, before his Contract shall be deemed valid, give Security in double the Amount of the Sum contracted to be paid for such Work, for the due Execution thereof, such Security to be subject to Approval by the Commissioners, and to be by Recognizance.

Commissioners to superintend Execution of Works.

21. The Commissioners shall carefully superintend the Execution of any Contract entered into in respect of such Work, and shall take care that the same is well and efficiently carried out by the Contractor, and they shall make all such Returns, Reports, and Accounts in relation to the Matters so intrusted to them as the Lord Lieutenant shall direct.

Form of Contract, and Payment of Contractor.

22. The Contract entered into by the Commissioners as aforesaid shall state at what Stages of the Works and in what Sums the Contractor is to be entitled to Payment, in pursuance of the Presentment; and whenever such Contractor shall become entitled to any Payment under such Presentment and Contract he shall give Notice thereof to the Commissioners, who shall thereupon inspect the said Works; and if the said Contractor shall appear to them to have properly performed his Contract or any Portion thereof, so as to become entitled to such Payment, they shall give such Contractor a Certificate in Writing to that Effect, signed by Three or more of the Commissioners; and the Treasurer of the County shall pay such Contractor the Sum mentioned in such Certificate, out of the Monies raised in respect of such Presentment, and no further Presentment for the Payment of such Contractor shall be required.

Power of Commissioners to purchase Lands. Incorporation of Acts.

23. In all Cases in which the Presentment to be carried into effect by the Commissioners shall comprise the Purchase of any Lands, or of Rights or Easements over Lands, or in which the Works to be carried out by the Commissioners shall injuriously affect any Lands, it shall be lawful for the Commissioners to enter into Agreements with the Owners of such Lands, or to take such Lands and execute such Works without entering into such Agreements.

ments. The "Lands Clauses Consolidation Act, 1845," (except the Sections thereof numbered from Sixteen to Sixty-eight, both inclusive, relating to the Purchase and taking Land otherwise than by Agreement, and Section One hundred and twenty-three), as amended by the "Lands Clauses Consolidation Act, 1860," and the "Lands Clauses Consolidation Act, 1860," shall be incorporated with this Act. For the Purpose of such Incorporation this Act shall be deemed the Special Act, and the said Commissioners shall be deemed the Promoters of the Undertaking.

And the Clauses of the "Railways Act, Ireland, 1851," numbered from Four to Twenty-one (both inclusive), and from Twenty-five to Thirty (both inclusive), as amended by the "Railways Act, Ireland, 1860," and the "Railways Act, Ireland, 1864," and the "Railways Act, Ireland, 1860," as amended by the "Railways Act, Ireland, 1864," and the "Railways Act, Ireland, 1864," shall be deemed to be incorporated with this Act: Provided that in the said Acts the Word "Company" shall, for the Purpose of each Incorporation, be deemed to mean the said Commissioners, and the Word "Railway" used therein shall, when necessary, be deemed to mean the Works the said Commissioners shall be appointed to carry out: Provided always, that the said Commissioners shall not, except in respect of Lands contiguous to a Prison, and required for the Purpose of enlarging a Prison, or rendering it more commodious or safe, put in force the Provisions of the said incorporated Acts with respect to the Purchase of Land otherwise than by Agreement.

Legal Estate to vest in the Board.

24. Immediately upon any Estate or Interest in any Lands, Tenements, or Hereditaments, or in any Rights or Easements, becoming vested in the Commissioners under the last preceding Section, or any of the Acts incorporated thereby, such Estate or Interest shall forthwith vest in the Board for the Time being; and for ever thenceforth the Estate or Interest thus acquired shall at all Times, and from Time to Time, and for all Intents and Purposes, so long as the said Lands, Easements, or Rights shall continue to be used for or in connexion with any Prison, be deemed to be vested in the Board for the Time being, and all Actions and Suits in respect thereof may be brought and continued in the Name of or against the Local Inspector for the Time being.

Payment of Purchase Money. 7 G. 4. c. 74. s.

25. The Treasurer of the County shall, on receiving a written Requisition to that Effect, signed by any Three of the Commissioners, and by any Three Members of the Board, pay any Person named in such Requisition the Amount at any Time to be paid for the Purchase Money of any such Lands, Rights, or Easements, out of the Monies raised in respect of the Presentment for such Purchase.

Penalty for obstructing, destroying, injuring, or for diverting of Water-courses. 7 G. 4. c. 74. ss. 11, 12.

26. If any Person shall at any Time obstruct the Persons employed by such Commissioners, or by any Commissioners appointed by the Lord Lieutenant, under the Sixty-fifth Section of this Act, in laying any Main or Pipe, or making any Watercourse, whereby Water shall be proposed to be carried to any Prison or Bridewell, and shall be convicted thereof before a Justice of the Peace of the County to which such Prison or Bridewell belongs, such Person shall for every such Offence forfeit the Sum of *Five Pounds*, to be levied by Distress and Sale of his Goods and Chattels, upon the Warrant of such Justice; and if any Person shall wilfully destroy or injure any Pipe, Main, or Watercourse, or shall wilfully divert any Watercourses through which Water shall be carried or proposed to be carried to any Prison or Bridewell, so as to prevent the Water from regularly and fully flowing to the same, such Person shall be deemed guilty of a Criminal Offence, and shall upon Conviction be imprisoned for One Year, or until he shall pay a Sum of *Fifty Pounds*, *One Third* Part of which Sum shall be paid to the Person or Persons who shall discover and cause such Offender to be convicted.

On Completion of Works, Recognizances to be vacated.

27. When the Works for which such Commissioners shall have been appointed shall be finished, the Grand Jury, at the next Assizes, shall order that all Recognizances entered into in respect thereof shall be vacated, and such Recognizances shall accordingly be vacated on the last Day of such Assizes, unless upon Complaint laid before the Court or the Grand Jury sufficient Cause shall appear to induce the Judge of Assize to make an Order to the contrary.

PART III.

Joint Prisons.

Lord Lieutenant may order Prisoners of City or Town to be confined in County Prison. 7 G. 4. c. 74. s. 100.

28. In all Cases where it shall happen that the Prison of any County in Ireland shall be situate within or adjoining any County of a City or County of a Town, and there shall not be any separate Prison for such County of a City or County of a Town sufficient to comply with the Requisitions of this Act, it shall be lawful for the Lord Lieutenant to direct that all Prisoners within such County of a City or Town shall be committed to and kept in Custody in the Prison of such County so being situate within or adjoining such County of a City or Town.

Provision for Maintenance of

29. Whenever the Lord Lieutenant shall have made an Order under the Twenty-eighth Section of this Act, the Maintenance of the

the Prisoners kept in Custody under such Order, and a due Proportion of the other Expenses of the Prison in which said Prisoners shall be kept in Custody in pursuance of said Order, shall be provided for by Presentment, to be made by the Grand Jury of the County of a City or County of a Town to which such Prisoner shall belong, in lieu of all other Presentments in respect of the Prison of such County of a City or Town, and the Amount of such Presentment shall be raised accordingly; and the Treasurer of such County of a City or County of a Town shall pay the Amount of such Presentment to the Board of such County.

Prisoners confined in County Gaol under s. 28.

30. In case the respective Grand Juries of such County of a City or Town and of such County do not agree as to the Proportion of the Expenses of the Prison of such County to be borne by such County and County of a Town respectively, the Lord Lieutenant may direct in what Proportion such Expenses are to be borne by such County of a City or Town, and such County and the said Expenses shall thereupon be presented and raised accordingly.

If the Grand Juries disagree, the Lord Lieutenant may direct in what Proportion Expenses are to be borne.

31. It shall be lawful for the Grand Jury of any County to contract with the Grand Jury of any County or Counties immediately adjoining such first-mentioned County for the Payment of any Sum by all or any of such contracting Grand Juries towards building, rebuilding, altering, enlarging, repairing, or improving or fitting up any Prison locally situate in any of such Counties, to be used as a Joint Prison of such Counties Parties to the Contract, and either in addition to or in substitution for the existing Prisons of any of such Counties, and towards the Expense and Maintenance of such Joint Prison, including the Expenses of committing and conveying Prisoners thereto, and all other incidental Charges relating to the same or the Prisoners therein; and all Monies payable under any such Contract by any County shall from Time to Time be presented and raised by the Grand Jury of the County by which the same shall be payable in all respects as if such Joint Prison was a Prison of such County alone.

Two or more Counties may unite in building any Prison. 7 G. 4. c. 74. s. 50.

Counties and Boroughs may agree for a Joint Prison. 19 & 20 Vict. c. 68. s. 37.

Presentments may be made for Joint Prisons. 19 & 20 Vict. c. 68. s. 38.

32. It shall be lawful for any Grand Jury at any Assizes, or in the Case of Boroughs at any Special Meeting, to take into consideration the Expediency of making any such Contract as aforesaid; and in case such a Contract shall be resolved on by any such Grand Juries it shall be lawful for each such Grand Jury to appoint not less than Three or more than Five of its Members to be a Committee on its Behalf to negotiate and make such Contract; and such Grand Jury shall have the Power of removing any Member of such Committee, and of filling up any Vacancy therein caused by Death,

Grand Juries may appoint Committees to make Arrangements for Joint Prisons. 19 & 20 Vict. c. 68. s. 39.

Resignation, Removal, or otherwise. The Committees so appointed shall represent their respective Grand Juries, and shall form One Joint Committee, who shall draw up the Contract aforesaid, distinctly setting forth the Terms and Conditions thereof; and such Contract, when subscribed by a Majority of the Members of each Committee forming such Joint Committee, and confirmed as hereinafter mentioned, shall be binding on the respective Grand Juries Parties to the same, and on all other Persons, to all Intents and Purposes.

These Committees to form a Joint Committee, who shall draw up Contract. 19 & 20 Vict. c. 68. s. 40.

Particulars which the Contract shall specify. 19 & 20 Vict. c. 68, s. 41.

33. Every such Contract shall specify the Place where such Prison is or is to be situated, and the Counties for which it is proposed to be built or used (the Area and Proportion of the same being set forth in so far as the same may be known), and such Contract shall further specify the Number of Prisoners for which it is proposed that Accommodation should be provided, and the Proportion in which the Expenses of purchasing any Site, and of building, finishing, and fitting up, or of enlarging and improving such Prison, shall be borne by each of the Contracting Parties, and also the Proportion in which the Expenses of rebuilding or repairing the same shall be contributed, and also whether such Prison is to be used in place of or in addition to any and which of the existing Prisons of the said Counties respectively, and also the Mode in which it is proposed to constitute the Board of such Prison, and the Proportion in which the Salaries of Officers and such Expenses as may be incurred in respect of the ordinary Repairs and the Government and Discipline thereof, the Maintenance, Management, Custody, and Instruction of Prisoners, and all other current and ordinary Expenses of the said Prison, shall be apportioned on each of the contracting Parties; and such Proportion may be either a fixed Share, determined beforehand, of the ordinary annual Expenses of the said Prison, or be made to depend upon and be calculated by the Number of Prisoners who shall be confined therein from the said Counties respectively, and the Period of Time for which each such Prisoner shall be so confined; such Calculations to be made at such Intervals and according to such Scale as in the said Contract shall be mentioned, and to be either at a fixed Rate by the Day, Week, or Month, for the Cost of each such Prisoner, or at the actual average daily, weekly, or monthly Cost of each such Prisoner, according to the whole Number of Prisoners for the Time being confined in such Prison; and such Contract shall also specify the Period of Time, not being less than Three Years, for which the First Agreement for such Proportion of such current and ordinary Expenses (whether the same shall be at a fixed or variable Proportion) shall endure: Provided always, that at the Expiration of such Period

Period the Contract shall nevertheless continue in force, unless and until altered and renewed, upon such Terms and in such Manner as is herein-after directed.

Approval of Contract. 19 & 20 Vict. c. 68. s. 42.

34. The Joint Committee shall lay the Contract, when so signed as aforesaid, before the respective Grand Juries Parties thereto at the next Assizes, or, in case of Boroughs, at any Special Meeting, and shall deliver to each such Grand Jury a Duplicate of such Contract, and the same, when approved of by such Grand Jury, shall be filed by the Clerk of the Peace, or Town Clerk in the Case of Boroughs, and kept with the Records of such County.

Confirmation of Contract by the Lord Lieutenant. 19 & 20 Vict. c. 68, s. 43.

35. Each Grand Jury shall immediately on its Approval of such Contract lay the same before the Lord Lieutenant for Confirmation; and the Lord Lieutenant, if he shall so think fit, shall thereupon, by Order under Hand of the Chief or Under Secretary, direct that such Joint Prison, when certified by One of the Inspectors General of Prisons, and of the Commissioners of Public Works in Ireland, under the Provisions of the Thirty-sixth Section, shall be used as the Joint Prison of such Counties on the Terms of such Contract: Provided that in the event of any such Grand Jury by a Majority of their Number not approving of the Terms of such Contract when laid before them, or in the event of the Lord Lieutenant refusing to confirm the same, such Grand Jury may, with the Consent of the other Grand Jury or Juries, Parties to the Contract, and if they so think fit, or the Lord Lieutenant, as the Case may be, if he so thinks fit, may remit the said Contract to such Joint Committee for Reconsideration, and thereupon all Proceedings shall be taken in relation thereto as if the same had been originally laid before such Joint Committee.

Who may direct Prison to be used as Joint Prison when certified.

Lord Lieutenant, on Report of Inspector General, may direct Prison to be used as Joint Prison. 19 & 20 Vict. c. 68. s. 44.

36. When any such Joint Prison, or a sufficient Part thereof, shall have been completely prepared for the Reception of Prisoners, in pursuance of any such Contract, One of the Inspectors General of Prisons and the Commissioners of Public Works in Ireland, shall certify under their Hand to the Lord Lieutenant that such Prison is, to the Extent specified in his Certificate, completely prepared as aforesaid; and thereupon the Lord Lieutenant shall, by an Order under the Hand of the Chief or Under Secretary, direct that such Prison shall, from a certain Day to be mentioned in such Order, be used as a Joint Prison for the Counties Parties to such Contract, either exclusively or in addition to any other Prisons, and that all Prisoners of such respective Counties, or such of them as such Order shall specify, shall, if requisite, be forthwith removed to

such Joint Prison by the Governors or Keepers of the Prisons or Places of Confinement in which they shall then be in Custody, and the Removal of any Prisoners under such Order shall in no Case be deemed an Escape; and thenceforth all Persons liable to be imprisoned within the Counties Parties to such Contract, whether under Committal, Sentence, Attachment, or Process, shall be imprisoned in such Joint Prison.

Board of Superintendence to be appointed for Joint Prison. 19 & 20 Vict. c. 68. s. 45.

37. The several Grand Juries Parties to any such Contract shall unite in appointing a Joint Board, such Board to be constituted in the Manner specified in such Contract, provided that One Half at least of the Members nominated by any Grand Jury a Party to such Contract shall be Justices of the Peace of the County of such Grand Jury; and each such Grand Jury shall have the same Powers in all respects in relation to the Members of each Joint Board appointed on behalf of such Grand Jury as if they were Members of a Board appointed by such Grand Jury exclusively.

Duties and Powers of Joint Boards. 19 & 20 Vict. c. 68. s. 47.

38. Such Joint Board of Superintendence shall hold Office for the same Period, and shall have the same Duties and Powers in all respects, in relation to such Joint Prison, as if such Joint Board were the Board and such Joint Prison were the Prison of any such Counties exclusively; and the several Grand Juries Parties to such Contract shall, subject to the Terms of such Contract, have the same Powers and Duties in relation to Presentments for such Joint Board as are herein provided with respect to Presentments for the Board of a single County.

Presentments may be made to Joint Boards of Superintendence. 19 & 20 Vict. c. 68. s. 46.

Revision of the Contract on Termination of Periods specified therein. 19 & 20 Vict. c. 68. s. 48.

39. At the Expiration of the Period specified in any Contract, or any Revision of the same, as herein provided, for the Continuance of the proportional Payments thereby agreed upon, if it shall appear to the Joint Board appointed thereunder that any Alteration ought to be made in such proportional Payments, they shall on the first Opportunity lay a Proposal before the Grand Juries Parties to such Contract or revised Contract, stating in such Proposal the Periods at which such revised Proportions shall commence, and the Period, not being less than *Five* Years, during which the same shall endure; and such Proposal, when approved by the said Grand Juries respectively, shall govern the Proportions in which Payments shall be made under the said Contract for the Period so agreed upon, and after the Expiration of such Period, until a further Revision, in manner aforesaid, shall take place; and such Proposal so agreed to shall constitute a valid Contract between the Parties.

40. In

In case of Disagreement as to revised Contract, Lord Lieutenant shall appoint Arbitrator. 19 & 20 Vict. c. 68 s. 49.

40. In case such Joint Board shall neglect or refuse to propose such a Revision, notwithstanding that any of the Grand Juries Parties to such Contract shall have resolved that such should be proposed, the said several Grand Juries may agree with one another for such a Revision, and the Terms and Continuance thereof, and the revised proportional Payments so agreed upon shall remain in force accordingly; and in case such Grand Juries cannot agree in approving of a Revision proposed by such Joint Board, or in agreeing upon a revised Contract with one another, it shall be lawful for the Lord Lieutenant, upon the Application of any of such Grand Juries, to appoint any Barrister of not less than Six Years standing to act as an Arbitrator between the Parties; and it shall be lawful for such Arbitrator to summon the County or Prison Officers of any of the Counties Parties to such Contract, or any of them, or such other Persons as he may require, to appear before him and give Evidence upon Oath, and to produce all Information in their Power or Procurement touching the Matter in dispute; and he may, if he think fit, adjourn the Arbitration from Time to Time, and require all further Information he may deem necessary; and he shall by this Award in Writing determine the several Matters in dispute, and shall assess the Costs of the Arbitration, and direct by whom and out of what Fund the same shall be paid, and the same shall be paid accordingly; and such Award shall be final and conclusive between the Parties, and the proportional Payments settled thereby shall be the Proportions payable by the Parties for *Five* Years from the Date of such Award, and afterwards until a further Revision.

Revisions may be had from Time to Time. 19 & 20 Vict. c. 68. s. 48.

41. A further Revision of the proportional Payments may in all Cases from Time to Time be had at the Expiration of the Period of Continuance mentioned in any previous Revision or Award, the same to be effected in all respects as any first Revision: Provided that until any Revision or further Revision shall be effected the proportional Payments previously payable shall continue.

Counties may contract with each other for Reception of Prisoners in the County Prison. 19 & 20 Vict. c. 68. s. 50.

42. It shall be lawful for the Grand Jury of any County, with the Consent of the Lord Lieutenant, to contract with the Grand Jury of any other County for the Support and Maintenance of all the Prisoners, including Debtor Prisoners, of such first-mentioned County in any Prison of such other County, which Contract may be either perpetual or for a limited Period, as the Parties shall mutually agree; and during the Term thereof all Prisoners who would otherwise be confined in a Prison belonging to such first-mentioned County may be lawfully committed or removed to and confined in such Prison, and shall during the Time of such Com-

mittal, Removal, or Confinement, be deemed to be in the proper Custody to all Intents and Purposes, and shall during the Term of their Imprisonment in such Prison be subject to the Government of the Board thereof: Provided that no such Contract be entered into without an Order for that Purpose being made by each Grand Jury, Party thereto, and entered in the Book in which the Proceedings of such Grand Juries are respectively recorded.

Grand Jury may present for Amount of such Contract. 19 & 20 Vict. c. 68. s. 51.

43. In case of any Contract under the Forty-second Section of this Act, the Grand Jury of the first-mentioned County shall present any Sums of Money agreed on by such Contract to be expended by the Grand Jury of such other County, or any other Persons duly authorized in that Behalf, in enlarging or repairing such County Prison, or in preparing the same as a Joint Prison for the Accommodation of such Prisoners; and whenever, in the Case of any Contract under the last preceding Section, at the Expiration of any Period of *Three* Years from Time to Time occurring during the Continuance thereof, it shall appear to either of the Grand Juries, Parties thereto, that the proportional Payments payable by each such Grand Jury thereunder require Alteration, such Grand Jury shall lay before the other Grand Jury a Proposal stating the Terms of the proposed Alteration, and the Period, not being less than *Three* Years, during which the proportional Payments, as so altered, shall endure, and such Proposal, if accepted by such other Grand Jury, or such other Arrangement as they may agree upon, shall constitute a valid Contract between the Parties for the Time therein specified or so agreed upon, and so in like Manner from Time to Time such proportional Payments may be altered; and if, in case of any such proposed Revision the said Grand Juries cannot come to an Agreement upon the same, it shall be lawful for the Lord Lieutenant to appoint an Arbitrator between the Parties, in like Manner and subject to the same Conditions as herein-before provided by the Fortieth Section of this Act in the Case of Joint Prisons; and such Arbitrator shall have the same Powers and shall proceed in the same Manner in all respects in relation to the Contract under the last preceding Section as have been provided by the said Fortieth Section with respect to the Arbitrator to be appointed thereunder.

Trial of Prisoners committed or removed to Joint Prison or to County Prison under Contract. 19 & 20 Vict. c. 68. s. 53.

44. All Prisoners confined in any Joint Prison, or maintained in any Prison under a Contract of Maintenance, according to the Provisions of this Act, shall be dealt with as if such Joint Prison or other Prison belonged to the County or Borough from which such Prisoners were committed or removed, and in case of their Trial shall be triable and tried in the Place wherein they might have been tried had this Act not been passed; and it shall be lawful for the Magistrates

Magistrates or other proper Officers of the County or Borough in which such Prisoners are so triable to do all Acts necessary for their Trial or consequent thereon.

Nothing in this Act to interfere with certain Provisions of 5 & 6 W. 4. c. 26, or 13 & 14 Vict. c. 85. 19 & 20 Vict. c. 68. s. 53.

45. Nothing in this Act contained shall be deemed or taken to control or in any Matter limit or interfere with any Power which is by an Act of the Session holden in the Fifth and Sixth Years of King William the Fourth, Chapter Twenty-six, or by an Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Eighty-five, or by any other Act now in force, vested in the Lord Lieutenant of Ireland, of altering, with the Advice of Her Majesty's Privy Council in Ireland, the Place of holding the Assizes or Sessions, or Special Commission or Commissions of Oyer and Terminer, of or for any County, County of a City, or County of a Town in Ireland, or to interfere with or in any Manner invalidate or affect any Order in Council heretofore made for that Purpose under the Authority of the said Acts or any of them.

Compensation to Officers of disused Prisons, &c. 19 & 20 Vict. c. 68. s. 54.

46. Whenever by reason of any Contract for the Adoption of a Joint Prison, or for the Maintenance of the Prisoners of one County in the Prison of another County, under the Provisions of this Act, any Officer of any Prison shall be discharged from their respective Offices, every such Officer shall be entitled during his Life to such annual Allowance or Compensation not exceeding Two Thirds of his or her late Salary as shall be determined by the Grand Jury of the County or Borough to which such Officer previously belonged, and such Compensation shall be determined on the First Opportunity for so doing, and such Grand Jury shall, without Application to Presentment Sessions, present One Moiety of such annual Compensation at each Assizes; provided that if any such Officer shall at any Time afterwards be appointed to any Office in either of the said Counties in respect of which a Salary shall be payable out of the Rates thereof equal to or exceeding in Amount such former Salary of such Officer, the Compensation hereby provided for such Officer shall cease from the Day of such Appointment; and if such Officer shall refuse to accept such Appointment his Compensation under this Section, if the Grand Jury shall so think fit, shall determine.

Separate Board of Superintendence for Prisons other than Joint Prisons.

47. When any Counties shall have entered into a Contract for a Joint Prison, the Bridewells and all other County Prisons, save the Joint Prison in any of the Counties Parties to such Contract, shall remain subject to the Government of a Board of their own County, such Board to consist of the Members of the Joint Board representing such County, together with such other Members appointed

in the Manner and within the Limits as to Number and Qualification provided by this Act as the Grand Jury of such County shall appoint.

Prisons to be considered Part of the County for whose Purposes they are used. 7 G. 4. c. 74. s. 47.

48. Every Prison which shall be used or ordered by the Lord Lieutenant to be used in the whole or in part as the Prison of any County shall be deemed in respect of the Prisoners of each County to be a Part of such County, so long as any Prisoners of such County shall be or shall be liable to be confined therein, notwithstanding that such Prison shall be locally situate in any other County; and whenever any such Prison shall cease to be used as such County Prison it shall, with the Appurtenances, be deemed to be Part of the County in which it is locally situate.

PART IV.

Requirements in respect of Prisons, and Penalties for default.

Requisitions of Act as to Separation of Prisoners. 28 & 29 Vict. c. 126. s. 17.

49. The Requisitions of this Act with respect to the Separation of Prisoners are as follow:—

1. In every Prison separate Cells shall be provided equal in Number to the Average of the greatest Number of Prisoners, not being Convicts under Sentence of Penal Servitude, who have been confined in such Prison at any Time during each of the preceding Five Years:
2. In every Prison, Punishment Cells shall be provided for the Confinement of Prisoners sentenced to Solitary Confinement, or guilty of Prison Offences:
3. In a Prison containing Female Prisoners as well as Males, such Female Prisoners shall be imprisoned in separate Buildings or separate Parts of the same Buildings, in such Manner as to prevent their seeing, conversing, or holding any Communication whatever with the Male Prisoners:
4. In a Prison where Debtors are confined Means shall be provided for separating them altogether from the Criminal Prisoners; and the Debtors shall be divided into Two Classes, namely, those who maintain themselves and those who do not; and separate Warm and Cold Baths, Lavatories, Water-closets, and common Halls, and Yards, shall be provided for the Two Classes:
5. In a Prison where Criminal Prisoners are confined such Prisoners shall be prevented from holding any Communication with each other, either by every Prisoner being kept in a separate Cell by Day and by Night, except when he is at

at Chapel or taking Exercise, or by every Prisoner being confined by Night to his Cell, and being subjected to such Superintendence during the Day as will, consistently with the Provisions of this Act, prevent him from communicating with any other Prisoner: Provided always, that Separate Confinement under this Act (not in a Punishment Cell) shall not be deemed Solitary Confinement within the Meaning of any Act forbidding Solitary Confinement for more than a limited Time:

Provided always that when Two or more Prisons are within the Jurisdiction of the same Grand Jury, the Requirements of this Act with respect to the Separation of Prisoners and the Enforcement of Hard Labour may be carried into effect by appropriating particular Prisons to particular Classes of Prisoners.

Cells to be certified for Confinement of Prisoners. 28 & 29 Vict. c. 126. s. 18.

50. No Cell shall be used for the Separate Confinement of a Prisoner unless it is certified by One of the Inspectors General to be of such a Size, and to be artificially lighted, warmed, ventilated, and fitted up in a such a Manner, as may be requisite for Health, and furnished with the Means of enabling the Prisoner to communicate at any Time with an Officer of the Prison; but a Distinction may be made in respect of the Use of Cells for the Separate Confinement of Prisoners during long and short Periods of Imprisonment, and in respect of the Use of Cells in which the Prisoner is intended to be employed during the whole Day, or for a long or short Part thereof; and the Certificates of the Inspector General may be varied accordingly, so as to express the Period of Imprisonment for which each Cell may be considered fit, and the Number of Hours in the Day during which the Prisoners may be employed therein.

No Punishment Cell shall be used unless it is certified by such Inspector General that it is furnished with the Means of enabling the Prisoner to communicate at any Time with an Officer of the Prison, and that it is so ventilated and artificially heated that it can be used as a Punishment Cell without Detriment to the Prisoner's Health, and the Time for which it may be so used shall be stated in the Certificate.

Every certified Cell shall be distinguished by a Number or Mark placed in a conspicuous Position, and shall be referred to by its Number or Mark in the Certificate of the Inspector General; and if the Number or Mark of any certified Cell is changed without the Consent of the Inspector General, such Cell shall be deemed to be an uncertified Cell until a fresh Certificate has been given.

Any Certificate given by an Inspector General in respect of a Cell may be withdrawn on such Alteration taking place in such

Cell as to render the Certificate, in his Opinion, inapplicable thereto, and upon a Certificate in respect of a Cell being withdrawn that Cell shall cease to be a certified Cell for the Purposes of this Act.

If any Board feel aggrieved by the Refusal of the Inspector General to certify a Cell for any of the Purposes of this Act, it may appeal to the Lord Lieutenant, and his Decision shall be final.

Further Accommodation.

51. In every Prison separate Infirmaries, and separate Warm and Cold Baths, Lavatories, and Water closets, shall be provided for the Use of the Debtors and Criminal Prisoners. Separate Yards shall be allotted to Debtors and Criminal Prisoners for Air and Exercise.

Chapels to be provided in Prisons. 7 G. 4. c. 74. s. 6.

52. In every Prison One or more Chapel or Chapels shall be provided, in such a convenient Situation as to be easy of Access to all the Prisoners. Each Chapel shall be fitted up with separate Divisions for Males and Females, so constructed as to prevent Prisoners of different Sexes from seeing each other, and also for Debtors and Criminal Prisoners, and shall be strictly set apart for Religious Worship, or for the occasional Religious and Moral Educational Instruction of the Prisoners.

Places of Industry, Laundry. 7 G. 4. c. 74. s. 6.

53. In every Prison there shall be provided separate Rooms and Places for Males and Females, and Debtors and Criminal Prisoners, properly fitted up for the Exercise of Labour and Industry, and also a sufficient Laundry and Drying Room; and such Rooms, Places, Laundries, and Drying Rooms for all Criminal Prisoners shall be so constructed and fitted with separate Stalls and Compartments that the Provisions of the Fifth Clause of the Forty-ninth Section of this Act can be strictly enforced therein.

Requisitions of Act as to Hard Labour. 28 & 29 Vict. c. 126. s. 19.

54. Hard Labour for the Purposes of this Act shall be of Two Classes; consisting, first, of Work at the Treadwheel, Shot Drill, Crank, Capstan, Stone-breaking, or such other like Description of hard bodily Labour as may be appointed by the Lord Lieutenant, which Work is herein-after referred to as Hard Labour of the First Class; secondly, of such other Description of bodily Labour as may be appointed by the Lord Lieutenant, which Work is herein-after referred to as Hard Labour of the Second Class; and in every Prison where Prisoners sentenced to Hard Labour are confined, adequate Means (having regard to the average Number of such Prisoners confined in that Prison during the preceding Five Years) shall be provided for enforcing Hard Labour in accordance with the Regulations of this Act; and no Prison shall be deemed to be in conformity with the Requisitions of this Act with respect to the Enforcement of Hard Labour unless such Means as aforesaid have been

been provided therein, and Prisoners sentenced to Hard Labour have been employed thereat in manner provided by this Act: Provided that Employment in the necessary Services of the Prison may, in the Case of a limited Number of Prisoners, to be selected by the Board, on the Report of the Local Inspector and Governor, as a Reward for Industry and good Behaviour, be deemed to be Hard Labour of the Second Class.

Government Allowance withheld from inadequate Prisons. 28 & 29 Vict. c. 126. s. 35.

55. Whenever it appears to the Lord Lieutenant that Default has been made in any Prison in complying with the Requisitions of this Act in respect of the Separation of Prisoners or the Enforcement of Hard Labour, or of providing a Chapel or suitable Room for Religious Worship, it shall be lawful for the Lord Lieutenant to certify, and the Lord Lieutenant accordingly shall certify, such Non-compliance in Writing under his Hand to the Commissioners of Her Majesty's Treasury, and upon such Certificate being given no Contribution shall thenceforth be paid out of Monies provided by Parliament towards the Expenses of maintaining any Prisoners in that Prison until the Lord Lieutenant shall have been satisfied that the defaulting Prison has been brought into conformity with the Requisitions of this Act, and shall have revoked such Certificate, and then only from the Date of such Revocation.

Provided:

1st. That this Section shall not affect the Payment of any Contribution payable on or before the Thirty-first Day of *December One thousand eight hundred and sixty-seven:*

2d. That before the Certificate of the Lord Lieutenant is given under this Section with respect to any Prison, a Copy of the Report of the Inspectors General relating to that Prison, and a Statement of the Grounds on which the Lord Lieutenant proposes to order such Certificate, shall be sent to the Board; and it shall be lawful for such Board, upon receiving a Copy of the said Report and Statement, to address any Explanations or Observations relating thereto to the Lord Lieutenant:

3d. Whenever the Certificate of the Lord Lieutenant is given under this Section in respect of a Prison, a Copy of the said Statement, accompanied with any such Explanations or Observations as aforesaid, shall be laid before Parliament.

Lord Lieutenant in Council may order Grand Juries to remedy Deficiencies in Prisons.

56. In case at any Time it shall appear to the Lord Lieutenant in Council that Default has been made in any Prison in complying with the Provisions of this Act with respect to the Separation of Prisoners, or with respect to the Enforcement of Hard Labour, or with respect to providing a Chapel or suitable Room for Religious

Worship, (whether the Provisions of the Fifty-fifth Section shall or shall not have been previously put in force,) it shall be lawful for the Lord Lieutenant in Council to make an Order directed to the Grand Jury of the County to which such Prison shall belong, requiring such Grand Jury to remedy such Deficiency, unless such Grand Jury, at the Assizes at or immediately preceding which a Copy of such Order shall have been sent to their Secretary, in pursuance of the Fifty-eighth Section of this Act, shall make reasonable Objections to their being required to remedy such Deficiency.

Form of Order.

57. The Order under the Fifty-sixth Section shall be directed to the Grand Jury of the County, and shall state the Nature of the Deficiencies of the Prison complained of, and shall require such Grand Jury to transmit to the Under Secretary their Objections, if any, to their being required to remedy such Deficiencies.

Order to be sent to Secretary of Grand Jury.

58. The Lord Lieutenant shall cause a Copy of the Order under the Fifty-sixth Section, addressed to the Secretary of the Grand Jury, during or previous to the next Assizes after the making of such Order, to be sent by Post. The said Secretary shall lay such Order before the said Grand Jury at such Assizes. In case the said Grand Jury shall consider that reasonable Objections exist to the Requirements of such Order, such Grand Jury may transmit the Particulars of their Objections to the Lord Lieutenant, and may authorize their Secretary, if they shall so think fit, to appear, by Counsel before the Lord Lieutenant in Council, in support of such Objections.

Notice of Order to be given to the Secretary of the Grand Jury.

59. The Lord Lieutenant shall, at any Time after the Assizes next following the making of an Order under the Fifty-sixth Section of this Act, cause to be sent by Post a written Notice, addressed to the Secretary of the Grand Jury, informing him that the Lord Lieutenant in Council will, at a Time to be mentioned in such Notice, and not less than One Week after the posting of such Notice, consider the Matter of such Order, and the Objections, if any, of the said Grand Jury.

Lord Lieutenant in Council to consider the Order and the Objections, if any, thereto.

60. The Lord Lieutenant in Council may, at the Time mentioned in the Notice sent by Post, in pursuance of the Fifty-eighth Section, consider the Order made under the Fifty-sixth Section, and the Objections, if any, of the Grand Jury, and may thereupon allow or overrule such Objections.

If no Objections, or Objections

61. In case such Objections shall be overruled, or if no Objections shall have been transmitted, (whether the Secretary of the Grand

Grand Jury shall or shall not have laid the Order made under the Fifty-sixth Section before the Grand Jury,) the Lord Lieutenant in Council may make a peremptory Order directing the Grand Jury of the County to remedy the Deficiencies pointed out in the Order made under the Fifty-sixth Section.

overruled, Order to be made absolutely.

62. Such peremptory Order shall be addressed to the Grand Jury of the County, and shall direct the Grand Jury to make Presentments to remedy the Deficiencies pointed out in the previous Order made under the Fifty-sixth Section of this Act.

Form of the peremptory Order.

63. The Under Secretary shall, before the Spring Assizes immediately following the making of such peremptory Order, cause a Copy of such peremptory Order to be sent by Post addressed to the Secretary of the Grand Jury of the County. And it shall thereupon be the Duty of such Grand Jury at such Assizes, without any Application or Proceedings at any Presentment Sessions, to make such Presentment, and, if necessary for the Purpose of obeying such Order, to appoint Commissioners, as by the Sixteenth Section of this Act they are directed to appoint in the Cases therein specified, and Commissioners so appointed shall have the like Powers and Duties and be subject to the same Provisions in every respect as Commissioners appointed under the Sixteenth Section of this Act; but such Commissioners shall forthwith direct all proper Plans, Specifications, and Estimates to be prepared and transmitted to the Lord Lieutenant for his Approval within *Three Calendar Months* from such Assizes; and in case the Lord Lieutenant shall approve such Plans and Specifications, he shall return the same to the said Commissioners, who shall thereupon enter into Contracts for the Execution of the Works so presented for in the Manner provided in said Second Part in respect of Works executed by Commissioners appointed under the Sixteenth Section of this Act, and forthwith proceed to execute the Works so presented for under the aforesaid Contracts.

Copy of peremptory Order to be forwarded to Secretary of Grand Jury.

64. If the Grand Jury, at the Spring Assizes next following the making of such peremptory Order, shall fail to make a Presentment sufficient to comply with such peremptory Order, and, if necessary, to appoint such Commissioners, it shall be lawful for the Lord Lieutenant in Council to make an Order that from a certain Day to be specified in such Order such Prison shall cease to be a legal Place for the Confinement of Prisoners, and from such Day no Prisoner shall be confined therein, unless in the meantime, or afterwards, the Lord Lieutenant, on the Certificate of an Inspector General of Prisons that in such Prison such necessary Accommoda-

If the Grand Jury fail to comply with peremptory Order, Lord Lieutenant in Council may order Prison to be closed.

tions have been provided, shall order that such Prison shall be again used.

If Grand Jury omit to make Presentment, Lord Lieutenant may appoint Commissioners.

65. In case the Grand Jury shall omit to make such Presentment and to appoint Commissioners at such Spring Assizes, or in case such Commissioners shall not lay before the Lord Lieutenant the Plans, Specifications, and Estimates in the last Section mentioned within such *Three Calendar Months*, or in case the Lord Lieutenant shall not approve of the same, or if such Commissioners shall make default in executing such Works, it shall be lawful for the Lord Lieutenant to appoint not less than Six or more than Twelve Persons, One of whom shall be a Justice of the Peace for the County, to be Commissioners for the Purpose of carrying out such Works; and such Commissioners shall have the same Powers in all respects as if they had been appointed by the Grand Jury under the Sixty-third Section, and shall in like Manner prepare Plans, receive Tenders, and enter into Contracts for the Execution of such Works; and such Plans and Contracts shall be submitted to the Lord Lieutenant, and on his Approval thereof the said Commissioners shall proceed to execute the Works thereunder.

Powers of Commissioners appointed by the Lord Lieutenant.

66. The Commissioners appointed by the Lord Lieutenant under the Sixty-fifth Section of this Act are hereby authorized to enter upon, rebuild, alter, enlarge, and improve any existing or former Prison. If, for the Purpose of supplying such Deficiencies in Prison Accommodation for the County, the Lord Lieutenant in Council shall deem it necessary that Lands shall be procured for the Site of a Prison or any Part thereof, or that Right or Easement over Lands shall be acquired, the Order appointing such Commissioners shall describe the Lands intended to be acquired, or over which Rights or Easements are intended to be acquired; and thereupon such Commissioners shall have all such Powers for the Purpose of purchasing Lands, and Rights and Easements over Lands, as are herein-before conferred upon Commissioners appointed by the Grand Jury, under the Sixteenth Section of this Act, but subject nevertheless to the like Provisions and Limitations as are imposed upon the Exercise of such Powers.

Monies to be expended by Commissioners appointed by Lord Lieutenant to be added to Levies.

67. The Money to be expended on any Works to be carried out by Commissioners appointed by the Lord Lieutenant, or for the Purchase of any Rights, Lands, or Easements directed by him to be acquired, shall be mentioned in the Order appointing such Commissioners, and thereupon the Judge of Assize at the next ensuing Assizes, after the making of such Order, shall order such Money to be raised, and such Order shall have the Operation of a Presentment, and

and the said Amount shall be raised in all respects in the same Manner as if such Amount had been duly presented for by the Grand Jury at such Assizes; and the Treasurer of the County shall pay the Monies so raised to any Person at such Times and for such Amounts as he shall be required to do by a Requisition in Writing signed by any Three of such Commissioners. The Lord Lieutenant may, if he shall so think fit, direct that the Sums required for such Works, or for the Purchase of such Lands, Rights, or Easements, shall be raised by half-yearly Instalments; and in such Case the Judge of Assize at each ensuing Assizes, until the whole of such Amount shall have been levied, shall order the Amount of the current Instalment to be raised, and such Order shall have the Force of a Presentment, and the Amount of such half-yearly Instalments shall be raised in all respects in the same Manner as if the Amount thereof had been duly presented for by the Grand Jury; and the Treasurer, on such Requisition as is herein-before mentioned, shall pay the Monies so raised to such Person or Persons from Time to Time as such Requisition shall require.

Such Monies may be raised by Instalments.

68. *Whenever such Expenses shall have been directed to be levied by half-yearly Instalments, it shall be lawful for the Lord Lieutenant to cause the Amount of such Expenses to be advanced to such Commissioners out of the Monies voted by Parliament for such Purposes; and in such Cases the Treasurer of the County shall from Time to Time repay to the Collector of Inland Revenue of the District the Amount of such Advance out of such Instalment in the same Manner in all respects as is provided in the Fourteenth Section of this Act, with regard to the Advances therein mentioned.*

When Monies directed to be raised by Instalment Lord Lieutenant may cause Amount to be advanced.

69. Whenever the Lord Lieutenant in Council shall have ordered, under the Provisions of the Sixty-fourth Section of this Act, that any Prison shall cease to be a legal Place of Confinement, the Lord Lieutenant in Council, by the same or any subsequent Order, may direct the Removal of all Prisoners therein, and the Committal of future Prisoners to the Prison of any other County the Board of which may be willing to receive them; and upon such Order being made it shall be the Duty of the Governor of such inadequate Prison, without further Warrant, to remove all the Prisoners therein to the substituted Prison, and such substituted Prison shall, until such Order shall be revoked by the Lord Lieutenant, for all Purposes relating to the Committal, Detention, Trial, and Punishment of the Prisoners so removed, and of the Prisoners committed thereto in pursuance of this Section, be deemed to be the

Lord Lieutenant may substitute another Prison for defective Prison. 28 & 29 Vict. c. 126. s. 36.

Prison of the defaulting County; and the defaulting County shall be liable to pay such Sum or Sums, and at such Time and Times, towards the Expenses of such substituted Prison, as the Lord Lieutenant shall at any Time or Times order; and the Judge of Assize, at the next Assizes after any such Order shall have been made by the Lord Lieutenant, shall order the Amount directed to be paid by such Order of the Lord Lieutenant to be levied off the defaulting County. The Order of the Judges of Assize, in pursuance of this Section, shall have the Force of a Presentment, and the Amount therein mentioned shall be raised in all respects as if it had been duly presented by the Grand Jury at such Assizes; and the Treasurer of such defaulting County shall from Time to Time pay the Amount so levied to the Board of such substituted Prison.

Mode of Exercise of Powers by the Lord Lieutenant.

70. The Lord Lieutenant may exercise the Powers conferred upon him to appoint Commissioners to build, rebuild, improve, alter, or enlarge any Prison, and to provide for the Purchase of Lands, Rights, and Easements simultaneously with the Powers conferred on him to cause the Removal of Prisoners to a substituted Prison under the last preceding Section; provided that when the defaulting County shall have been provided with sufficient Accommodation, and One of the Inspectors General shall so certify, the Lord Lieutenant may revoke the Order made under the last preceeding Section, and thereupon all Prisoners belonging to the defaulting County shall be removed to the Prison of such County.

PART V.

Offices in connexion with Prisons.

Inspectors General.

Lord Lieutenant to appoint Two Inspectors General of Prisons. 7 G. 4. c. 74. s. 54.

71. The Lord Lieutenant shall from Time to Time appoint Two fit and proper Persons to be Inspectors General of Prisons in Ireland, removeable at the Will and Pleasure of the Lord Lieutenant; and each of such Inspectors General shall receive such Salary and Allowances as the Lord Lieutenant shall direct, subject to the Approval of the Commissioners for the Time being of Her Majesty's Treasury, which Salary and Allowances shall be payable quarterly out of any Monies appropriated by Parliament for the Purpose.

Counties to be apportioned into TwoCircuits, the Prisons of which shall

72. It shall be lawful for the Lord Lieutenant to apportion the several Counties into Two Circuits for the Purposes of this Act; and each of the said Inspectors General shall, *once* at least in every Year, go round One of the said Circuits, and visit and inspect every

every Prison and Bridewell subject to the Provisions of this Act within such One of the said Circuits respectively, and shall go round the said Circuits alternately in each succeeding Year, so that every Prison and Bridewell shall be visited by each of the said Inspectors General *once* in every Two Years at the least; and they shall in each Year make a general Report upon the Prisons so visited by them respectively, which Report shall be transmitted to the Chief Secretary on or before the *First Day of April* in each Year, and shall be laid before both Houses of Parliament, and shall contain a general Statement of the Progress of Prison Discipline in each District, as well as a special Report upon the State of each, with a List of all Prisoners, and such additional Particulars as the Lord Lieutenant shall from Time to Time require.

be visited yearly by an Inspector General. 7 G. 4. c. 74. s. 55.

73. After such Visits respectively each of the Inspectors General shall deliver to the Secretary to the Grand Jury of each County a Copy of his Report as to the several Prisons and Bridewells therein respectively, in order that the same may by them be laid before the Grand Juries of the Counties to which such Reports shall relate at the next ensuing Assizes; and every such Report shall contain an Account of every Prison and Bridewell within the said Counties respectively.

Reports of Inspectors General shall be laid before the Grand Juries at the ensuing Assizes. 7 G. 4. c. 74. s. 56.

74. Upon such Visits the Inspector General shall, by a Minute written in the Minute Book of the Board, addressed to the Board, call their Attention to any Irregularity he may have observed therein, or any Complaint he may have to make against the Buildings, the Officers, or the Discipline of the Prison.

Inspector General of Prisons to leave a Minute of Observations. 28 & 29 Vict. c. 126. s. 22.

75. The Inspectors General are hereby empowered to require any Prison Officer to make to them any Report or Return in relation to any Prison, and to produce any Papers, Books, or Documents connected therewith; and every such Officer is hereby required to make and furnish such Report, and to produce such Papers, Books, and Documents; and they are empowered to require the Board to furnish them with any Maps, Plans, or Specifications in relation to any Prison or Bridewell, or any Improvements to be made therein.

Inspectors General may call for Reports.

76. It shall be the Duty of the said Inspectors General, and of each of them, from Time to Time, either together or singly, and whenever they or he shall know or be informed of any Circumstances of such a Nature as to call for Inquiry, or shall be required by the Lord Lieutenant to do so, to visit any Prison or Bridewell or other Place of Confinement subject to the Provisions of this Act, and to examine concerning the due Performance of the Rules and

Inspectors General to inquire into the Discipline of Prisons, and report to Lord Lieutenant. 7 G. 4. c. 74. s. 59.

Regulations for the Time being lawfully in force in relation thereto respectively, and also concerning all Matters connected with the Expenditure, Discipline, or Regularity thereof, or the Conduct of any Officer of any Prison; and the said Inspectors General are and each of them is hereby authorized to examine on Oath all Persons touching the said Matters, and to call for and inspect all Books, Papers, and Documents relating thereto; and such Inspectors General are and each of them is hereby empowered, whenever they or he shall think fit, and required whenever he or they shall be called upon to do so by the Lord Lieutenant, to make a special Report in Writing to the Lord Lieutenant respecting any such Matters, or any other Matter touching such Prison or Bridewell or other Place of Confinement which may be referred to them by the Lord Lieutenant, besides the annual Report required by the Seventy-second Section of this Act.

Inspectors General to prepare Dietary Tables. 7 G. 4. c. 74. ss. 84 & 85.

77. The Inspectors General, or either of them, shall, subject to the Approval of the Lord Lieutenant, make out a Dietary Table for each Prison, stating the Quantities and Descriptions of Food to be allowed to each Prisoner on Prison Allowance on each Day of the Week. Such Dietary may from Time to Time be altered by the Inspectors General or either of them, with the Approval of the Lord Lieutenant.

Dietary Table to be adhered to. 7 G. 4. c. 74. s. 84.

78. The Dietary Table for the Time being in force shall be strictly adhered to in every Prison, and a Copy thereof shall be placed in a conspicuous Part of each Prison.

Supply of Prison Requisites to be fixed by Inspectors General. 7 G. 4. c. 74. s. 87.

79. The Inspectors General, or either of them, shall, with the Approbation of the Lord Lieutenant in Council, determine from Time to Time what Amount of Prison Dresses, Beds, Bedding, Furniture, and all other Articles shall be supplied from Time to Time for each Prison, and such Prison shall be supplied accordingly by the Board. Whenever at any Time either of the Inspectors General shall ascertain that any Prison is not sufficiently supplied with any such Articles, he shall order a Supply of such Articles to be purchased by the Local Inspector, and supplied to the Prison, and such Local Inspector shall present to the Collector of Inland Revenue of the District in which such Prison or Bridewell is situate an Account of the Expense incurred by such Supplies of Deficiencies, certified by One of the Inspectors General of Prisons, according to the Forms, Numbers 19. and 20., in the Second Schedule to this Act; and such Collector of Inland Revenue is hereby required to administer an Oath to such Local Inspector of the Accuracy of such Account, and such Collector shall thereupon pay to

to the said Local Inspector the Amount of such Account out of any Public Monies in the Hands of such Collector; and the Grand Jury shall present to such Collector the Amount of such Payments at the next Assizes.

Inspectors-General, with Approbation of Lord Lieutenant, to determine Staff of Officers. 7 G. 4. c. 74. s. 87.

80. The Inspectors General or One of them shall, with the Approbation of the Lord Lieutenant in Council, from Time to Time determine the Staff of Male and Female Officers which from Time to Time shall be appointed to any Prison.

Board of Superintendence.

Prisons to be subject to Local Government of Board of Superintendence. 7 G. 4. c. 74. s. 22.

81. Every Prison shall be subject to the Local Government, Control, and Management of the Board.

In the Country, Grand Juries to appoint Boards.

82. The Grand Jury of every County (except the County of the City of Dublin) shall at each Spring Assizes, with the Approval of the Judge of Assize presiding in the Crown Court, select and appoint by Ballot or open Voting, but not by Lot, a Board for the Prisons of the County, consisting of Twelve Members, of whom One Half at least shall be Justices of the Peace of the County.

In Dublin, Council to appoint Board of Superintendence of Prisons as heretofore. 12 & 13 Vict. c. 97. s. 51.

83. In the County of the City of Dublin the Right Honourable the Lord Mayor, Aldermen, and Burgesses of the said City, by the Council of the Borough, shall on the Tenth Day of January in every Year, and subject to the Approval of the Lord Lieutenant, select and appoint by Ballot or open Voting, but not by Lot, Twelve Persons, being Burgesses of the said City, and One Half of whom at least shall be Justices of the Peace for the County of the said City, to be a Board of every Prison belonging to the County of the said City, supported in part or in the whole by Presentment, and not being a Portion of a different County.

Board to have Power to fill up Vacancies.

84. Every Board shall hold Office until the Appointment of a new Board, and shall fill up any Vacancies occurring amongst its Members during its Tenure of Office, provided that the Proportion of One Half of its Members, being Justices of the Peace of the County or County of the City of Dublin, shall always be preserved. Members appointed by the Board to fill up Vacancies shall go out of Office at the same Time as the other Members. The Members of any Board going out of Office shall be eligible for Reappointment.

Quorum of the Board.

85. The Powers of every Board may at all Times be exercised by any Number of its Members not less than Three present at any Meeting duly assembled, save where it shall be otherwise hereby expressly provided. No single Member, nor any Number of

Members not regularly convened as a Board, shall exercise any Authority nor give any Direction with regard to the Discipline or Administration of the Prison, but a Quorum of not less than Three Members duly assembled shall have the same Powers as the whole Board. Every Board at its First Meeting after Appointment shall elect One of the Members to be Chairman; and in case of the Absence of the Chairman from any Meeting the Members of the Board then present shall elect One of such Members to be Chairman for the Meeting; and every Question shall be decided by a Majority of Votes (the Chairman, whether permanent or temporary, having a Vote), and in the event of an Equality of Votes on any Question the Chairman for the Time being shall have an additional or Casting Vote.

Chairman to be appointed. 7 G. 4. c. 74. s. 2.

Provision for the Case of the Chairman ceasing to be a Member of the Board.

86. In case the Chairman elected at the First Meeting of the Board, or any new Chairman elected under this Section, shall cease to be a Member of the Board during its Tenure of Office, the Board shall elect at the next Meeting after such Chairman shall have ceased to be a Member another of its Members to be Chairman; such new Chairman shall have the same Powers as are given by this Act to the Chairman elected at the First Meeting of the Board.

Board to see the Regulations of Prisons carried out, &c. 7 G. 4. c. 74. ss. 3 and 14.

87. The Board shall from Time to Time inquire into the Conduct and Treatment of the Prisoners in every Prison of their County, and of all Persons concerned in the Government or Management thereof, or holding any Office or Employment therein or relating thereto respectively, and they are hereby authorized to examine on Oath any Officer or any other Person in relation to the foregoing Matters; and once at least in every Month One or more Members of the Board shall personally visit every Cell in any Prison under their Control, and every Prisoner confined therein, and report thereon to the Board duly convened. If any such Prisoner shall make to the Board any Representation as to his Treatment or Condition, the Board shall make due Inquiry into the same, and shall, without Delay, attend to any Report in relation to the Treatment or Condition of any such Prisoner made to them by the Local Inspector, Governor, Chaplain, or Medical Officer.

To visit Prisoners, and hear Representations, and report respecting them, &c.

To see to the efficient working of Prisons.

88. The Board shall provide that every Prison under their Control shall be kept in constant Repair, and shall examine into the State of the Walls, Gates, Doors, Locks, and other Means of Defence and Security, and shall provide for the Efficiency thereof, and shall take care that every such Prison shall contain such Accommodations, and shall be supplied with such Provisions, Clothing, Utensils,

Utensils, and other Requisites as shall be necessary for maintaining the same in a thorough State of Efficiency, and that for that Purpose the same may be rebuilt, altered, enlarged, or repaired, and supplied with Water, lighted, warmed, and ventilated, artificially or otherwise; provided that the Expense of rebuilding, altering, enlarging, or repairing any Prison or Bridewell by and under the Directions of the Board shall not exceed the Sum of *Three hundred Pounds.*

Board to enter into Contracts.

89. All Things supplied to and all Works done for a Prison under the Eighty-eighth Section shall be done and supplied under written Contracts, signed by Six Members of the Board and the Contractor; and the Board shall have Power to enter into such Contracts, and a Minute of every such Contract shall be entered in the Minute Book of the Board; and it shall be lawful for the Board to require such Contractor to give such Security as the Board shall direct for the due Execution of such Contract, such Security to be by Recognizance; and in case of the Execution of any Works for the Purpose of rebuilding, altering, enlarging, or repairing any such Prison, or of supplying the same with Water, within the Limits as to Expenditure in that Section specified, they shall appoint a Committee consisting of not less than *Six* or more than *Twelve* of their Members to be Commissioners for the Purpose of superintending the Execution of such Works; and such Commissioners shall proceed in the same Manner in all respects in relation to receiving Tenders, entering into Contracts, preparing Specifications, and making Purchases and Compensation for Injuries, and shall have the same Powers and Duties in all respects, as the Commissioners appointed by the Grand Jury under the Sixteenth Section of this Act.

Requisites not exceeding in Value 20*l.* may be purchased for ready Money.

90. If it shall be expedient, in the Opinion of the Board, to purchase any Prison Requisites, or to have any Repairs of the Prison executed, without the Execution of such a formal Contract as in the last preceding Section is mentioned, it shall be lawful for the Board to direct any Officer of the Prison to purchase such Requisites or to have such Repairs executed for ready Money, and in such Case the Board shall place the necessary Monies for such Purpose in the Hands of such Officer; provided that the Sum so directed to be paid at any One Meeting shall not exceed Twenty Pounds.

Penalty on Board of Superintendence being concerned in such Contracts, 500*l.*

91. No Member of the Board, nor any Officer of any Prison or Bridewell in such County, shall enter into any such Contract with the Board as aforesaid; and if any such Person shall enter into any such Contract, or shall directly or indirectly derive Profit from the same,

7 G. 4. c. 74. s. 81.

same, contrary to the Provisions hereof, he shall for every such Offence forfeit a Sum of *Five hundred Pounds*, to be recovered by any Person who shall sue for the same in any of Her Majesty's Superior Courts of Common Law at Dublin.

Board may sue and be sued in Name of Local Inspector.

92. In case of any Action or Suit, at Law or in Equity, in respect of any such Contract, the Board may sue and be sued in the Name of the Local Inspector for the Time being; and Service of legal Documents upon or by such Local Inspector shall be deemed sufficient.

Board of Superintendence to appoint Prison Officers.

19 & 20 Vict. c. 68. s. 18.

6 & 7 W. 4. c. 51. s. 3.

93. The Board in every County, except the County of the City of Dublin, shall from Time to Time appoint, for every Prison under their Control the following Officers:—A Local Inspector, Chaplains, Medical Officer or Medical Officers, duly registered under the Twenty-first and Twenty-second Victoria, Chapter Ninety; Governor, Deputy Governor, Matrons, a Schoolmaster, a Schoolmistress, Trades Instructors, Turnkeys, and such other Officers, Male and Female, as shall from Time to Time be required to complete the Staff of Officers of the Prison determined on under the Eightieth Section of this Act. In the County of the City of Dublin the Lord Lieutenant shall from Time to Time appoint a Local Inspector, Governor, and Turnkeys and other Male Officers (save such Officers as it is herein-after enacted shall be appointed by the Board), and also a Matron and other Female Officers, for every Prison belonging to the said County of the City of Dublin. The Board of the County of the City of Dublin shall from Time to Time appoint Chaplains, Medical Officers, and Apothecaries of every Prison belonging to the said County of the City of Dublin: Provided that in a Prison where Females only are imprisoned the Matron shall be deemed to be the Governor, and shall so far as is practicable perform all the Duties and be subject to all the Obligations of a Governor in relation to such Prison.

28 & 29 Vict. c. 126. s. 10.

Board of Superintendence may remove Officers.

19 & 20 Vict. c. 68. s. 22.

94. All the Officers of every County Prison appointed by the Board shall hold Office during the Pleasure of the Board, and may from Time to Time be removed by the Board; and if in the event of any such Removal another Officer in the Place of the Officer so removed by the Board shall be required to complete the Staff of Officers of the Prison determined under Section Eighty of this Act, the Board shall forthwith appoint a fit Person to fill the Vacancy so created.

Appointment of Officers to

95. The Appointment of every Officer by the Board, except the Chaplains and Medical Officers of every Prison, shall in the first instance

instance be probationary only; and the same shall require to be confirmed by the Board at a Meeting at which *One Half* of the entire Number shall be present, to be held no sooner than Three or later than *Six* Calendar Months from the Date of the probationary Appointment, and (except in the Case of the Local Inspector and Governor) the Board shall not confirm such Appointment unless the Local Inspector and Governor, or, in the Case of the Governor, unless the Local Inspector shall have certified in Writing to the Board that the Conduct of such Officer since his or her probationary Appointment has been in all respects satisfactory: Provided always, that in case the Local Inspector and Governor, or either of them, shall at any Time happen to be on Probation, or their or either of their Offices shall happen to be vacant when such Certificate shall be required, it shall be lawful for the Board to confirm such Appointment without requiring any Certificate, or without requiring the Signature thereto of the Local Inspector or the Governor, as the Case may be.

be in first instance probationary only. 19 & 20 Vict. c. 68. s. 19.

96. The Board shall enter the Certificate required by the Ninety-fifth Section in their Minute Book, and shall forthwith transmit a Copy thereof to the Inspectors General of Prisons; and every Appointment confirmed in pursuance of the last Section shall be laid before the Lord Lieutenant for his Approval; and if the Board shall not, at a Meeting held within the Period of *Six* Months herein provided, confirm such probationary Appointment, or if they shall at such Meeting refuse to confirm the same, or if the Lord Lieutenant shall refuse to approve of any Appointment so confirmed, and shall notify such Refusal to the Board, the Officer so appointed shall cease to hold his Office, and the same shall become vacant from the Expiration of such Period of *Six* Months, or from the Date of the Meeting at which the Board shall so refuse to confirm the Appointment, or from such Notification by the Lord Lieutenant, as the Case may be; and no Officer, the Approval of whose Appointment shall have been refused by the Lord Lieutenant, shall be eligible for Re-appointment.

Board to enter Certificate in Minute Book.

97. If the Board shall neglect to appoint any Officer who shall be required to complete the Staff for the Time being determined on for any Prison, under Section Eighty, for the Space of *Two* Calendar Months after they shall have been called upon to make such Appointment by Writing under the Hand of an Inspector General of Prisons, the Lord Lieutenant may, if he shall so think fit, appoint such Officer.

Lord Lieutenant may appoint Officers in default of Board of Superintendence. 19 & 20 Vict. c. 68. s. 18.

Lord Lieutenant may remove Officer in case of Refusal by Board of Superintendence. 19 & 20 Vict. c. 68. s. 22.

98. In case the Lord Lieutenant shall be of opinion that the Conduct of any Officer of any Prison or Bridewell appointed by the Board requires Investigation, he may, if he think fit, by Writing under the Hand of the Chief or Under Secretary, direct the Board of Superintendence of such Prison or Bridewell to hold an Inquiry into the Case of such Officer; and the Board shall thereupon hold such Inquiry, and shall have Power to summon all Persons before them whom they shall think fit to examine, and to examine such Persons on Oath, and to call for and inspect all Books, Papers, and Documents connected with the Case under Inquiry; and at the Close of such Inquiry the Board shall forward to the Lord Lieutenant a Copy of the Evidence taken, together with a written Statement of the Opinion of the Board on the Case.

Inspectors General may take Part in the Inquiry.

99. The Inspectors General, or either of them, shall, if they or he shall think fit, or if directed by the Lord Lieutenant, take Part in and be present at the Inquiry held under the Ninety-eighth Section; and in such Case they or he, as the Case may be, shall, at the Close of the Inquiry, furnish to the Lord Lieutenant a written Statement of their or his Opinion on the Case.

Lord Lieutenant may dismiss Officer.

100. When the Lord Lieutenant shall have received the Opinions of the Board, and of the Inspectors or Inspector General, if any such shall have been given, and the Copy of the Evidence taken on the Inquiry into the Conduct of any Officer under the Ninety-eighth Section, it shall be lawful for the Lord Lieutenant, if he shall so think fit, by a written Order under the Hand of the Chief or Under Secretary, to direct the Board to remove such Officer, stating in such Order the Cause of such Removal; and if the Board shall neglect to dismiss such Officer for the Space of *One Calendar Month*, the Lord Lieutenant may by a written Order, under the Hand of the Chief or Under Secretary, remove such Officer; and no Officer who shall have been so removed by the Lord Lieutenant or by the Board shall be eligible for Re-appointment.

Officers not to hold more Offices than One.

101. No Officer of any Prison who shall be appointed to any Office after the *Commencement of this Act*, except the Deputy Governor, and the Schoolmaster and Schoolmistress, and Trades Instructors, shall hold more than One Office therein or in connexion therewith.

Officers may have Substitutes appointed.

102. It shall be lawful for the Lord Lieutenant, in case of the Sickness or unavoidable Absence of any Officer of any Prison or Bridewell appointed by him, and for the Board, in case of the Sickness

Sickness or unavoidable Absence of any Officer appointed by them, to appoint a duly qualified Person to act as the Substitute of such Officer during such Sickness or unavoidable Absence; and in any such Case the Name and Residence of such Substitute shall be entered by the Board in their Minute Book, and during the Sickness or unavoidable Absence of such Officer such Substitute shall be deemed to hold the Office to which he shall be so temporarily appointed. 19 & 20 Vict. c. 68. s. 11.

103. Every Officer of a Prison appointed by the Lord Lieutenant under the Provisions of this Act shall hold Office during the Pleasure of the Lord Lieutenant, and may be removed by the Lord Lieutenant whenever he shall see fit; and in all Cases in which the Lord Lieutenant and the Board respectively are empowered by the Provisions of this Act to remove any Officer of a Prison, the Lord Lieutenant and the Board respectively are hereby empowered to suspend such Officer for any reasonable Period. All suspended Officers shall not, while suspended, perform any of the Duties of their Office, and shall not take any Part in the Performance of the Duties of the Prison, unless and until such Officer shall have been reinstated. The Lord Lieutenant and the Board respectively may reinstate any suspended Officer, or dismiss such Officer. Officers to hold Office during Pleasure of Lord Lieutenant.

104. Whenever any Officer of a Prison is suspended, removed from, or resigns his Office, or departs this Life, the Officer so suspended, removed, or resigning, and his Family, and the Family of every such deceased Officer, shall quit the Possession of the House or Apartments in which he or they have previously resided by virtue of such Office, when required so to do by Notice under the Hand or Hands of Two or more Members of the Board; and if he or they refuse or neglect to give such Possession for Forty-eight Hours after such Notice as aforesaid has been given to him or them, any Two Justices, upon Proof made to them of such Removal, Resignation, or Death, and of the Service of such Notice, and of such Neglect or Refusal to comply therewith, may, by Warrant under their Hands, direct any Constable, within a Period therein named, to enter by Force, if necessary, into such Premises, and deliver Possession thereof to any Person appointed by the Board. Removal of Prison Officers from Apartments. 28 & 29 Vict. c. 126. s. 16.

105. The Lord Lieutenant and the Board respectively shall appoint a sufficient Salary for each Officer of a Prison appointed by the Lord Lieutenant and the Board respectively. The Board shall cause such Salary to be paid to every Officer, whether appointed by the Lord Lieutenant or by them; provided that the Lord Lieutenant and the Board may from Time to Time alter any Salary appointed by him or them respectively. Salaries of Officers.

Superannuation of Officers. 28 & 29 Vict. c. 126. s. 15.

106. If any Person shall have been an Officer of a Prison for not less than Twenty Years, and shall be not less than Sixty Years of Age, or incapable, from confirmed Sickness, Age, or Infirmity, or Injury received in actual Execution of his Duty, of executing his Office, and such Sickness, Age, Infirmity, or Injury shall be certified by a Medical Certificate, and the Board shall be satisfied with his Conduct, the Board may, subject to the Approval of the Grand Jury, grant to such Officer, having regard to his Length of Service, an Annuity, by way of Superannuation Allowance, not exceeding Two Thirds of his Salary and Emoluments, or a Gratuity not exceeding the Amount of his Salary and Emoluments for One Year; and the Board shall cause such Gratuity to be paid to such Officer, or shall cause such Superannuation Allowance to be paid to him; and such Superannuation Allowance shall be included in Estimates forwarded to the Secretary of the Grand Jury, in pursuance of the One hundred and eleventh Section of this Act; and in such Case the said Estimates shall be accompanied by Testimonials of good Conduct of such Officer during his Tenure of Office from the Board; and thereupon the Grand Jury shall consider the Matter of such Superannuation Allowance or Gratuity, and, if they think fit, may allow the same, and the same shall be thereupon presented and raised accordingly; provided that in no Case shall any Superannuation Allowance be granted to any Officer who shall have been dismissed from his Office.

Testimonials. Board to send to Grand Jury.

Board, with Approval of Lord Lieutenant, to make Byelaws. Lord Lieutenant, on default, may make Byelaws. 7 G. 4. c. 74. ss. 4 & 112. 19 & 20 Vict. c. 68. s. 4.

107. It shall be lawful for the Board from Time to Time to make, alter, amend, or repeal Byelaws for the Government of every Prison under their Control, and the same shall be submitted to the Lord Lieutenant; and it shall be lawful for the Lord Lieutenant, if he shall so think fit, to alter such Byelaws, or to make Byelaws additional thereto, and to certify under the Hand of the Chief or Under Secretary that such Byelaws as submitted to him, or altered or added to, are proper to be enforced; and in case the Board shall neglect for the Space of *Three* Calendar Months after being required so to do by the Inspectors General of Prisons to make any such Byelaws as aforesaid, it shall be lawful for the Lord Lieutenant, by Writing under the Hand of the Chief or Under Secretary, to make such Byelaws, and from Time to Time to repeal, alter, or add thereto, and to make others; and it shall be further lawful for the Lord Lieutenant, if he shall so think fit, from Time to Time himself to alter any Byelaws for the Time being in force in any Prison, or to make any new Byelaws therefor; and any Byelaws whatsoever so approved by the Lord Lieutenant, or made by the Lord Lieutenant himself, and all Byelaws for the Time being in force in any Prison, shall be printed and posted therein, and shall be obeyed as the standing Regulations thereof.

108. The

108. The Regulations contained in the First Schedule of this Act shall be in force and observed in every Prison in the same Manner as if they were enacted in the Body of this Act. Regulations in the First Schedule to this Act to be observed.

109. The Board shall keep a Book, to be called "The Minute Book of the Board of Superintendence," in which shall be recorded all Orders, Directions, and Resolutions of the Board, and all Observations made by them, either individually or collectively, and each Member shall, on the Occasion of each Visit made by him to the Prison, make an Entry of such Visit, and anything in relation thereto which shall appear to him to be worthy of Notice, and there shall also be recorded in such Minute Book all Orders and Directions made by the Board, with the Date thereof, and any special Matter in relation thereto; and such Minute Book shall at all Times be kept within the Prison in the Custody of the Governor, and shall be open to the Inspection of the Inspectors General of Prisons, and shall be laid before the Grand Jury and the Judge of Assize at each Assizes. Board to keep a Minute Book.

110. The Board shall have Power to declare forfeited any Money found in the Possession of any Person committed to any Prison under their Control as a Vagrant, or for offending against the Laws in force for the Relief of the destitute Poor, whether such Money shall have been so found before or after the Committal of such Person, and to apply such Money towards defraying the Expenses of the Maintenance of such Person while in Prison, returning to such Person upon his Discharge the Overplus, if any, of such Money. Power to seize Money found on Vagrants. 19 & 20 Vict. c. 68. s. 29.

111. Previous to each Spring Assizes the Board shall forward to the Secretary of the Grand Jury of the County to which they belong a certified Estimate of all the Expenses for the ensuing Year of every Prison and Bridewell under their Control; and such Estimate shall include the Amount of any Rent which shall be then due, or which shall become due during the ensuing Year, in respect of such of the said Prisons as may now or shall hereafter at any Time be subject to Rent, the Salaries, Superannuation Allowances, and Gratuities which shall become payable to Officers or former Officers under the Provisions of this Act during the ensuing Year, all Sums necessary for supplying every Prison under their Control with such Matters and Things as shall be required to carry out the Provisions of this Act and of all Byelaws in force, and for paying all Contractors during the ensuing Year, and all Sums which may be required for rebuilding, altering, or repairing any Prison under their Control during the ensuing Year; provided that no greater Sum than *Three hundred* Shall lay an Estimate of necessary Expenses before the Grand Jury at Spring Assizes.

hundred Pounds shall be inserted in any such Estimate for rebuilding, altering, or repairing any Prison.

Board to apply the Monies raised by Presentment.

112. The Board shall apply all Monies which they shall receive in pursuance of the Seventh and Eighth Sections of this Act in providing for the Expenses of the Prisons and Bridewells under their Control, and shall retain the Balance, if any, remaining in their Hands towards the Expenses of the Prison from the subsequent Year, and they shall account for the same with the Grand Jury accordingly.

Board to lay an Account of Expenses not covered by Estimates before Grand Jury.

113. The Board shall also forward to the Secretary of the Grand Jury previous to each Spring Assizes a certified Account of all Expenses necessarily incurred by them in relation to any Prison under their Control during the previous Year, and for which Provision shall not have been made by the certified Estimates laid before the Grand Jury at the preceding Spring Assizes; provided that by no such Account shall any greater Sum than *Three hundred Pounds* be charged for the altering, enlarging, building, or repairing of any Prison.

PART VI.

Law of Prisons.

Who to be confined in County Prisons. 7 G. 4. c. 74. ss. 45. 116.

114. Every Person who in any County shall be liable by Law to be imprisoned therein, whether on Arrest, Committal, or Sentence, and every Person who under any Enactment heretofore made shall be liable to be confined in a Gaol in Ireland, may lawfully be confined in any Prison or Bridewell of such County subject to the Provisions of this Act; and whenever any new Prison or old Prison, previously under Repair, shall be made ready for the Reception of the Prisoners of the County to which they respectively belong, and the Board shall have given Notice thereof to the Sheriff of such County, it shall be lawful for such Sheriff, subject to the Provisions of this Act, to remove to such Prison all such Prisoners belonging to such County as may be in his Custody, and no such Removal shall constitute an Escape.

Houses of Correction on same Ground as Prisons to be Part thereof. 19 & 20 Vict. c. 68. s. 29.

115. No House of Correction shall in future be built as a separate Place of Confinement in addition to a Prison; and any House of Correction which at the Time of the passing of this Act shall be built within the same Boundaries as any Prison of the County to which such House of Correction belongs shall be deemed to be a Part of such Prison, and shall be under the Charge of the same Governor and Officers; but any Person who at the passing of this Act

Act shall be the Keeper of a House of Correction which shall not become a Portion of the County Prison by virtue of this Clause shall continue to act as such Keeper with the like Salary as heretofore; provided that no Sheriff shall be answerable for the safe Custody of any Prisoner who shall be confined in any House of Correction remaining such after the *passing of this Act.*

Proviso in favour of Sheriffs. 7 G. 4. c. 74. s. 89.

116. All Prisoners sentenced to Penal Servitude shall with all practicable Expedition be transmitted from the County Prisons to the Convict Prisons and Depôts to which they shall by Law be liable to be removed.

Convicts to penal Servitude to be transmitted with Expedition to Convict Depôts.

117. Every Prisoner confined in a Prison shall be deemed to be in the legal Custody of the Governor, provided that nothing in this Act contained shall affect the Jurisdiction or Responsibility of the Sheriff in respect of Prisoners under Sentence of Death, or his Jurisdiction or Control over the Prison where such Prisoners are confined, and the Officers thereof, so far as may be necessary for the Purpose of carrying into effect the Sentence of Death, or for any Purpose relating thereto; and in any Prison in which Sentence of Death is required to be carried into effect on any Prisoner, whether such Prison is or not the Common Gaol of the County, the Sheriff shall, for the Purposes of carrying that Sentence into execution, be deemed to have the same Jurisdiction with respect to such Prison as he has by Law with respect to the Common Gaol of a County, or would have had if this Act had not passed.

Custody of Prisoners. 28 & 29 Vict. c. 126. s. 58.

118. The Sheriff shall not be liable for the Escape from Imprisonment of any Prisoner other than Debtor.

Responsibility of Sheriff. 28 & 29 Vict. c. 120. s. 60.

119. Any Writ, Warrant, or other legal Instrument addressed to the Governor of a particular Prison, describing the Prison by its Situation or other definite Description, shall be valid, by whatever Title such Prisoner is usually known, or whatever be the Description of the Prison, whether Gaol, House of Correction, *Bridewell*, Penitentiary, or otherwise.

Description of Prison in Writ. 28 & 29 Vict. c. 126. s. 61.

120. A Prisoner may be brought up for Trial, and may be removed by or under the Direction of the Governor from one Prison to another, or from one Place of Confinement to another to which such Prisoner may be legally removed for the Purpose of being tried or undergoing his Sentence, and no Prisoner whilst in the Custody of a Governor shall be deemed to have escaped although he may be taken into different Jurisdictions or different Places of Confinement.

Removal of Prisoners for Trial. 28 & 29 Vict. c. 126. s. 63.

Removal of Prisoners.

Powers of Lord Lieutenant to direct Removal of Prisoners. 19 & 20 Vict. c. 68. s. 36. 7 G. 4. c. 74. s. 46.

121. It shall be lawful for the Lord Lieutenant from Time to Time, by Order in Writing, signed by the Chief or Under Secretary, to direct that any Person being committed to or sentenced to be imprisoned in, or any Person being imprisoned in any Prison, Bridewell, or other Place of Confinement in Ireland, by virtue of any Process, civil or criminal, or by virtue of any Order or Writ of any Court of Justice in Ireland, shall be removed to such other Prison, Convict Prison, Bridewell, or Place of Confinement, and for such Time within the lawful Period of his or her Imprisonment as to the Lord Lieutenant shall seem expedient; and every Person so removed shall be deemed to be in the proper legal Custody during the Time of such Removal, and during such Time as he shall be in the Place to which he shall be so removed, in like Manner as if such Person had been continued in his original Place of Confinement; and no Right, Liability, or Function of any Person whatsoever, which, if such Removal had not taken place, would have existed, or could or might have been used or exercised, shall be in any Degree affected in consequence of any such Removal, and no such Removal shall be deemed an Escape; and the Expenses of any Removal under this Section shall be borne by the Board of the Prison or Bridewell from which such Removal is made, and shall be included in their Accounts and Estimates, and presented accordingly.

Lord Lieutenant may order Expenses of Removal, Maintenance, &c. of removed Prisoner to be paid by the County to which he belongs.

122. In case any Prisoner shall be removed by virtue of the last preceding Section from any Prison or Bridewell subject to the Provisions of this Act to any other Prison or Bridewell or Place of Confinement, not being supported by Presentment off the County of such first-mentioned Prison or Bridewell, the Lord Lieutenant shall, if it appears just to him so to do, direct that the Costs incident on such Removal, and on the Imprisonment of such Prisoner in such last-mentioned Prison, Bridewell, or Place of Confinement, shall be paid by the Board of such first-mentioned Prison or Bridewell to the Board of such last-mentioned Prison, Bridewell, or Place of Confinement; and such Costs shall comprise as well the Costs of Removal of such Prisoner, and of again removing him or her to the original Place of Custody, and of the Maintenance of such Prisoner in the new Place of Custody, and also, in such Cases as the Lord Lieutenant shall think it expedient, a proportional Share of the Establishment Charges of such latter Place of Custody, including the Salaries of the Officers thereof, a Rentage Charge for the Cells occupied by such removed Prisoner, and the annual Charges payable in respect of such latter Place of Custody by the Authorities thereof; and it shall be lawful for the Lord Lieutenant to determine a uniform Scale, payable per Diem, in respect of each Prisoner,

Prisoner, for Charge of Maintenance, and also for Establishment Charges; and such Scale shall be applied in all Cases in which the Lord Lieutenant shall order a Payment to be made under the Provisions of this Clause.

Lord Lieutenant may direct Payment of Expenses of Removal.

123. *In case any Prisoner shall be removed, under the One hundred and twenty-first Section of this Act, under an Order of the Lord Lieutenant, for the Purposes of Justice, it shall be lawful for the Lord Lieutenant, if it shall appear just to him so to do, to direct that the Expenses of removing such Prisoner, and of again removing such Prisoner to his or her original Place of Custody, including all Expenses incurred in maintaining such Prisoner and providing him with Necessaries, shall be repaid to the Board, by whom such Costs shall in the first instance be defrayed out of such Monies as Parliament shall appropriate for the Purpose.*

Expenses shall in the first instance be paid by Governor of Prison or by Local Inspector.

As to Payment of Expenses of Removal under last and following Sections.

19 & 20 Vict. c. 68. s. 36.
1 Vict. c. 6.
10 & 11 Vict. c. 45.
12 & 13 Vict. c. 19.
14 & 15 Vict. c. 85. s. 4.

124. The Expenses of any such Removal from any Prison or Bridewell subject to the Provisions of this Act, under the One hundred and twenty-first and One hundred and twenty-second Sections of this Act, shall in the first instance be paid as follows; that is to say, by the Governor when the said Expenses shall have been incurred by the Governor or any Officer of any Prison, and by the Local Inspector when the same shall have been incurred by any Officer of a Bridwell; and such Governor and Local Inspector, as the Case may be, shall lay before the Board duly vouched Accounts of such Expenses, and the Board shall thereupon examine the same, and on being satisfied of the Reasonableness and Accuracy thereof shall pay the same out of any Funds under their Control, and the same shall be included in the Accounts laid before the Grand Jury at the next Spring Assizes, and presented accordingly.

Removal of Prisoners by Order of Justices.
7 G. 4. c. 74. s. 46.

125. In case, from the Suddenness of any Accident or Emergency, the immediate Removal of the Prisoners in any Prison or Bridewell shall be necessary, it shall be lawful for any *Three* Justices of the Peace of the County to make an Order for the Removal of such Prisoners, stating in such Order the Cause of such Removal, and the Place, being within such County, to which, with the Consent of the Sheriff, they shall be removed; and thereupon it shall be lawful to deal with such Prisoners in like Manner as if such Order had been made by the Lord Lieutenant, under the Provisions of the One hundred and twenty-first Section: Provided always, that such Justices shall forthwith notify such Removal and the Cause thereof to the Lord Lieutenant.

PART VII.

Offences relating to Prisons.

Penalties for Offences against Prison Laws.

126. Every Prisoner who shall escape or attempt to escape or to break Prison from any Prison or Bridewell, and every Person who shall rescue any Prisoner, or shall assist any Prisoner in escaping to attempting to escape or in breaking Prison, from any Prison or Bridewell, shall, whether an Escape be actually made or not, be guilty of Felony, and being convicted thereof shall be kept in Penal Servitude for any Term not being less than *Four* or more than *Eight* Years; and if any Person shall convey or cause to be conveyed into any Prison or Bridewell any Mask, Visor, or other Disguise proper to facilitate the Escape of any Prisoner, or shall deliver or cause to be delivered to any Prisoner any Mask, Visor, or other Disguise, or any Letter or other Thing, with Intent that the same shall be used for the Purpose of an Escape or an Attempt to escape, such Person shall be deemed to have assisted a Prisoner in escaping or attempting to escape within the Meaning of this Section.

Against assisting in Escapes. 19 & 20 Vict. c. 68. s. 32. 28 & 29 Vict. c. 126. s. 37.

Trials for Escape. 19 & 20 Vict. c. 68. s. 33.

127. Any Prisoner escaping, breaking Prison, or being rescued therefrom may be tried either in the Jurisdiction where the Offence was committed or in that where he or she shall be apprehended and retaken; and in case of any Prosecution for any such Escape, Attempt to escape, Breach of Prison, or Rescue, either against the Prisoner escaping or attempting to escape, or having broken Prison, or having been been rescued, or against any other Person concerned therein as aiding, abetting, or assisting the same, if such Prisoner shall be a convicted Prisoner a Certificate given by the Clerk or Registrar of the Court in which any such Prisoner shall have been convicted shall, together with the Proof of the Identity of such Prisoner, be sufficient Evidence of the Nature and Fact of the Conviction and of the Species and Term of Confinement to which such Prisoner was sentenced.

Penalty on conveying prohibited Articles into Prison. 7 G. 4. c. 74. s. 110. 19 & 20 Vict. c. 68. s. 34.

128. If any Person shall introduce or attempt to introduce into any Prison or Bridewell, or into the Four Courts Marshalsea, unless under competent Authority, any Money, Document, Letter, spirituous or fermented Liquors, Tobacco, or any other Article prohibited by the Rules of the Prison, it shall be lawful for any Person to cause such Offender to be conveyed before any Justice of the Peace of the County to which the Prison, Bridewell, or Marshalsea belongs, who is hereby empowered to hear and determine as to any such Offence in a summary Way, and upon Conviction such Offender shall pay such Sum, not exceeding *Four Pounds* nor less

less than *Forty Shillings*, as the Justice shall impose, or in default of Payment shall be imprisoned, with or without Hard Labour, for any Term not exceeding *Three* Calendar Months; and in the event of such Fine being paid *One Half* of the same shall be handed to to the Informer, if any.

Abolition of Prison Fees, Gratuities, &c. 1 & 2 G. 4. c. 77. 7 G. 4. c. 74. s. 136.

129. No Fee or Gratuity whatever shall be paid or payable by any Prisoner, whether a Debtor Prisoner or otherwise, on his Entrance, Commitment, Continuance in Custody, or Discharge, or on any Occasion whatever, any Law, Custom, or Usage to the contrary notwitstanding; and any Officer or Person who shall demand or receive any Fee or Gratuity contrary to this Provision shall be dismissed from his Office, and shall be liable to pay the Sum of *Five Pounds* to any Person who shall sue for the same, the same to be recoverable in a summary Way before any Justice of the Peace sitting in Petty Sessions, and in default of paying the said Sum the Offender shall be liable to be imprisoned for any Period not exceeding *Fourteen* Days. The Board shall cause to be affixed in conspicuous Places outside and within the Prison a Notice setting forth the Penalties that will be incurred by Persons committing any Offence in contravention of Sections One hundred and twenty-six, One hundred and twenty-eight, and One hundred and twenty-nine of this Act.

Notice of Penalties to be placed outside of Prison.

PART VIII.

Disposal of unnecessary Prisons.

Old Prisons to be used, &c., as Grand Jury shall present. 7 G. 4. c. 74. s. 48.

130. When any Prison or Bridewell shall cease to be used as a Prison or Bridewell, it shall be lawful for the Grand Jury of the County to which the same belongs, with the Consent of the Judge of Assize, to present that the whole or any Part of the Estate vested in or in trust for such County in such Prison, with the Appurtenances, or any Part thereof, shall be sold in such Manner as by such Presentment they shall direct, and in the event of such Sale the Purchase Money shall be applied by the Treasurer to the Use of the County; or the Grand Jury may present that such Prison or Bridewell may be used as a Prison of any other Description for such County, or that the same, or any Part thereof, shall be conveyed or demised, gratuitously or otherwise, or for the Purpose of widening or improving any Street or Place adjoining thereto, or for any Public or Charitable Purposes.

Provision as to making Title to and

131. In making Title to and conveying any such Estate under the last preceding Section, in case such Prison or Bridewell shall

conveying such Prison. 7 G. 4. c. 74. s. 49.

have been used as such for *Seven* Years or more by such County, the Board thereof shall be deemed and are hereby constituted to be seised or possessed of the legal Estate in such Interest therein as shall have previously been vested in any Person or Persons in trust for such County, and if such Interest cannot be ascertained by them, then in Fee Simple; and any *Three* Members of such Board shall have Power to convey any such Estate by Grant, to be executed under their Hands and Seals, and to give a sufficient Receipt for the Purchase Money: Provided also, that no Sale shall take place under the Provisions hereof, save to the best and highest Bidder, and until after such Sale shall have been advertised once in Week at the least during *Three* Months previous to such Sale in the *Dublin Gazette*, and in some Newspapers circulating in such County, and such Advertisements shall be inserted and paid for by the Treasurer, for which he shall be repaid, with lawful Interest, together with all Costs and Charges incurred by him, out of the Purchase Money arising from such Sale: Provided always, that no such Sale shall be invalid by reason of the Omission to do any Act hereby directed.

Power to apply to Landed Estates Court.

132. It shall be lawful for the Board, when about to sell any Estate vested in them under the last preceding Section, to present a Petition for the Sale of such Estate to the Landed Estates Court, Ireland, and the Board shall be deemed to be Owners of such Estate within the Meaning of the Act passed in the Session of Parliament held in the Twenty-first and Twenty-second Years of the Reign of Her Majesty, intituled "An Act to facilitate the Sale "and Transfer of Land in Ireland;" and in any Case in which the Board shall proceed by Petition to the Landed Estates Court, Ireland, the Provisions of the last preceding Section as to Bidders and as to Advertisements, shall not be applicable.

Mutual Power to Grand Juries to convey old Prisons to each other in case of Disuse by reason of Contract. 19 & 20 Vict. c. 68. s. 52.

133. In case of any Contract under the Provisions of this Act entered into by any County with any other County for the Adoption of a Joint Prison, or for the Maintenance, under a perpetual Contract, of the Prisoners of such first-mentioned County in the Prison of such other County, it shall be lawful for the Grand Jury of such first-mentioned County, if they shall so think fit, to grant to the Grand Jury of such other County all or any of the old Prisons of such first-mentioned County, and the Ground and Soil thereof, for the whole Estate which such first-mentioned County or any Person in trust for the same County, or the Board of such first-mentioned County, may have therein, and either gratuitously or on such Terms as shall be agreed on; and any Purchase Money payable therefor shall be either paid to the Grand Jury of such other County or

or shall be allowed in the Account between the Two Counties to be kept in relation to such Joint Prison or Prison in which the Prisoners of both such Counties are maintained; and it shall be lawful for the Grand Jury of such other County to appoint any *Three* Persons to be Trustees for receiving such Grant as aforesaid; and any such Prison, when so granted, shall, if used as a Prison by such County to which it shall be conveyed, be deemed to be within such County.

PART IX.

Miscellaneous Provisions.

Limitation of Action for Things done under this Act. 7 G. 4. c. 74. s. 135.

134. Any Action to be brought against any Person for any Matter or Thing done in pursuance of the Provisions of this Act, or in carrying out the same, or purporting to be done in that Behalf, shall be brought within *Six* Calendar Months after the doing or happening of such Matter or Thing from which the Cause of Action shall arise.

Pleading in such Action.

135. The Defendant in any such Action may plead that the Acts complained purported to be done in pursuance of the Provisions of this Act, and under such Plea the Defendant may give the special Matter of this Act in Evidence and rely thereon: Provided that under such Plea the Defendant shall not be entitled to rely on the Provision of the One hundred and thirty-fourth Section of this Act.

Pleading in such Action.

136. The Defendant in any such Action may, either together with or without the Plea given by the One hundred and thirty-fifth Section, plead that the Acts complained of purported to be done in pursuance of the Provisions of this Act, and that the Cause of Action did not accrue within Six Months, and under such Plea the Defendant shall be entitled to rely on the Provisions of the One hundred and thirty-fourth Section of this Act.

Court at Assizes to inquire into carrying out of this Act. 7 G. 4. c. 74. s. 134. 19 & 20 Vict. c. 68. s. 3.

137. And in order that the Purposes of this Act may be more fully carried into effect, the Court shall at every Assizes and Presenting Term make diligent Inquiry by Examination on Oath, in Court or otherwise, and by such other Ways and Means as they shall think proper, into the Condition, Discipline, and Management of every Prison and Bridewell in the County, and concerning the carrying into effect of the several Provisions of this Act, and con-

cerning the several Matters for which Presentments are hereby authorized to be made at such Assizes.

Forms in Schedule may be varied.

138. The Forms in the Second Schedule of this Act shall be observed in every Prison or Bridewell to which they respectively refer; but the Lord Lieutenant may from Time to Time alter the same, and direct that any other Forms or Schedules shall be observed in any such Prison or Bridewell in addition to or Substitution for the same; and the said Forms may also from Time to Time be altered, varied, or added to by any other competent Authority, under the Provisions of this Act, or otherwise howsoever.

PART X.

Bridewells.

Bridewells and Lock-ups to be under Control of Board.

139. Every Bridewell shall be under the Control and Government of the Board of the County wherein it is situated, and such Board shall provide for the Expenses thereof, and include such Expenses in their Estimates and Accounts laid before the Grand Jury, who shall thereupon present for the same in the Manner provided in the Seventh and Eighth Sections of this Act.

County Prisoners may be confined in Bridewells, subject to Provisions of this Act. 7 G. 4. c. 74. s. 13.

140. All Persons, other than Debtors, arrested or convicted upon any Charge in respect of which they shall be liable by Law, upon such Arrest or Conviction, to be imprisoned in any County Prison, may lawfully be confined in any Bridewell or Lock-up attached to any Constabulary Barrack within such County, subject to the Provisions herein-after contained; and all Bridewells which shall be built, repaired, purchased, or taken at a Rent under this Act shall be deemed and taken to be County Bridewells to all Intents and Purposes; and it shall be lawful for the Lord Lieutenant in Council at any Time to direct that a Bridewell shall be built in any Place in which the same shall be necessary for the Purposes of Justice, and the Grand Jury of the County shall thereupon make Presentments for the building thereof, under the Provisions of this Act.

Lord Lieutenant may establish District Bridewells. 7 G. 4. c. 74. s. 92.

141. It shall be lawful for the Lord Lieutenant to direct that any Bridewell heretofore or hereafter built or established shall be denominated a District Bridewell, and that to such Bridewell a certain District within the County to which it belongs shall be allotted; and all Prisoners imprisoned within such District, either for Trial at or under Sentence of the Court of Petty or Quarter Sessions, may, if the Court shall think fit, be kept in such Bridewell,

well, and shall not be transmitted to the County Prison; but no Prisoner sentenced to be imprisoned for any Period exceeding One Month shall be imprisoned in such Bridewell.

Imprisonment in other than District Bridewells not to exceed Three Days.

142. Prisoners may be confined in Bridewells other than District Bridewells, or in any Lock-up, such as aforesaid, under Sentences of Imprisonment for any Period not exceeding Three Days; but all Prisoners sentenced for any longer Period, or committed for Trial at Quarter Sessions or Assizes, shall be immediately after such Sentence or Committal forwarded to the County Prison or District Bridewell, unless the Lord Lieutenant shall, by any General Order or by any Special Order to be made in any particular Case, otherwise direct.

Expenses of Lock-up.

143. The Expense of maintaining Prisoners in any such Lock-up shall be certified by the Constables in charge thereof in such Form as shall be prepared by the Inspectors General of Constabulary and the Inspectors General of Prisons, and approved by the Lord Lieutenant; and such Certificates shall be laid before the Board of the County, who shall thereupon pay to such Constables the Amount of such Expenditure, and they shall include such Amount in their Estimates and Accounts laid before the Grand Jury, and the same shall be presented for and paid to the Board accordingly.

Bridewells on the Confines of Two Counties may be used by both Counties.

144. Every Bridewell not more than Three Miles distant from the Boundary of the County wherein it is situated may be used by the adjoining County whose Boundary shall be within Three Miles as aforesaid, as if such Bridewell were locally situated therein, in so far as relates to the committing thereto and imprisoning therein Prisoners belonging to such last-mentioned County; and in case any such Prisoners shall be committed to or confined in such Bridewell, all the Expenses of removing such Prisoners, as also all Expenses incident on such Committal and Confinement, including a proportional Share of the Expenses of such Bridewell, shall be defrayed by the Board of such last-mentioned County, and such Prisoners shall be dealt with in all other respects as Prisoners of the County to which they belong; and it shall be lawful for the Board of the County to which such Bridewell belongs to enter into a Contract with the Board of such other County, whereby the Terms on which the Prisoners of such County shall be confined in such Bridewell shall be arranged, and such Terms may from Time Time be altered at the Expiration of any Period of *Five* Years; and in case of Dispute as to such Terms in the event of any such Revision, the Lord Lieutenant may appoint a Barrister of not less than

Six Years standing to be an Arbitrator between the said Boards in relation thereto, and such Arbitrator shall have the same Powers, and shall proceed in the same Manner in all respects, in relation to such Contract, as herein-before provided in case of an Arbitrator appointed under the Fortieth Section of this Act.

Bridewells to be constructed and fitted.
19 & 20 Vict. c. 68. s. 26.
7 G. 4. c. 74. s. 6.

145. Every Bridewell, of whatever Kind, shall be so constructed as to provide for the safe Custody and also the Health of the Prisoners confined therein. It shall consist of at the least Two separate Divisions, One for each Sex, and so constructed as to prevent any Communication between the Male and Female Prisoners; and each Division shall contain an adequate Number of Cells and Day Rooms of sufficient Size, and lighted, warmed, and ventilated, artificially or otherwise, in such a Manner as shall be required for the Preservation of Health.

Each Division of every Bridewell to contain a Yard and a Supply of good Water.
19 & 20 Vict. c. 68. s. 26.
7 G. 4. c. 74. s. 6.

146. Each Division of every Bridewell shall contain a Yard of sufficient Dimensions to enable the Prisoners to take Exercise therein, and shall contain a Supply of good Water, and shall also have a Privy sufficiently provided in respect to Sewerage; and every such Bridewell shall be sufficiently provided in respect to Drainage, and shall contain proper Accommodation for the Officers thereof of both Sexes, and shall be provided with Kitchen Furniture and other Utensils; and all Repairs, Enlargements, and Improvements, including Means of warming, ventilating, and lighting any such Bridewell, or providing the same with sufficient Water and proper Drainage and Sewerage, which may become necessary in carrying out the Provisions of this Section and the last preceding, shall be duly executed from Time to Time, and the Expense thereof shall be included in the Estimates and Accounts of the Board, and shall be presented for accordingly; and if an Inspector General shall report to the Lord Lieutenant that any Bridewell is, at or after the Expiration of Eighteen Months from the Commencement of this Act, deficient in any of the Accommodations required by this Clause, the Lord Lieutenant may declare that such Bridewell has ceased to be and such Bridewell shall thereupon cease to be a legal Place of Confinement for any Description of Prisoner; and Notice of such Declaration shall be forthwith sent to the Board.

Debtors not to be confined in Bridewells.
7 G. 4. c. 74. s. 92.

147. No Debtor Prisoner shall be confined in any Bridewell; and the several Provisions for the general Regulation of Prisons contained in this Act and the First Schedule thereof, both inclusive, shall extend to all Bridewells, as far as the same can be made applicable thereto.

14 . The

Keepers and Matrons of Bridewells to be appointed.

148. The Board are hereby required to appoint a Keeper of each Bridewell, and One Matron at the least, and such other Officers, Male and Female, as shall be necessary for the Purpose of effectually carrying out all the Regulations from Time to Time in force in relation to such Bridewell and the Prisoners therein, and the said Board shall have the same Powers in relation to the Keeper, Matron, and Officers of each Bridewell as they have in relation to the Governor and Officers of the County Prison.

Certain provisions of this Act to apply to Keepers of Bridewells.

149. The Provisions relating to Governors of Prisons contained in the One hundredth, One hundred and first, One hundred and seventh, One hundred and ninth, One hundred and tenth to One hundred and seventeenth (both inclusive), One hundred and nineteenth, One hundred and twentieth, and One hundred and twenty-first Clauses of the First Schedule to this Act, shall apply to Keepers of Bridewells, except (in the Case of Bridewells not being District Bridewells) so much of the One hundred and nineteenth Clause as relates to keeping an Account; and the Provisions of the One hundred and eighteenth and One hundred and twenty-second Clauses of the said Schedule shall apply to all Keepers of District Bridewells: Provided always, that it shall not be necessary for the Keeper of any Bridewell to bring any Prisoner before any Justice or Justices at Petty Sessions in any Case of Adjournment or Remand under the Provisions of "The Petty Sessions (Ireland) Act, 1851," but in any such Case the Custody of any such Prisoner shall be transferred to the Sub-Inspector or Head Constable of Constabulary, or other Person to whom the Warrant for that Purpose shall be addressed.

Punishment of Offences against Bridewell Rules.

150. If any Prisoner shall be guilty of offending against the Rules of the Bridewell, or of breaking Windows, or otherwise injuring the Bridewell or any Part of the Furniture thereof, the Keeper of the Bridewell shall at the earliest Opportunity bring such Offender before a Justice of the Peace of the County to which such Bridewell belongs, and such Justice may inquire upon Oath and determine concerning any such Offence, and may order the Offender to be punished by Solitary Confinement on Bread and Water for any Period not exceeding One Month: Provided always, that when such Period shall extend beyond the Time during which such Prisoner shall be liable to remain in such Bridewell, or if at the Time of the Commission of such Offence the Period during which such Prisoner can be lawfully retained in such Bridewell shall have expired, the Remainder or the whole of such Imprisonment shall be carried out in the County Prison of the County to which such Bridewell belongs.

Salaries of Keepers and Matrons. 7 G. 4. c. 74. s. 103.

151. The Board shall appoint such Salaries for the Officers of Bridewells as shall appear reasonable; provided that in District Bridewells the Salary of the Keeper shall not be less than *Fifty Pounds* a Year, and that of the Matron not less than *Twenty-five Pounds* a Year, and in other Bridewells the Salary of the Keeper shall not be less than *Thirty Pounds* a Year, and that of the Matron not less than *Ten Pounds* a Year; and all such Salaries shall be included in the Estimates and Accounts of the Board, and presented accordingly.

Lord Lieutenant may discontinue Bridewells. 7 G. 4. c. 74. s. 90.

152. The Lord Lieutenant may from Time to Time, by Warrant to be published in the *Dublin Gazette*, order that any District Bridewell which may be unnecessary or unfit for the Purposes thereof shall no longer be used as a District Bridewell, or that any Bridewell of whatever Kind which may be unnecessary shall no longer be used as a Bridewell or Prison; and from and after such Day as shall be named in such Warrant such District Bridewell shall cease to be a District Bridewell, or such other Bridewell shall cease to be used as a Place of Confinement, as the Case may be; and in the latter Case it shall not be lawful to imprison or confine any Person therein under any Order or Authority or on any Pretext whatsoever.

Auxiliary Board of Superintendence of Bridewell. 19 & 20 Vict. c. 68. s. 25. repeals. 7 G. 4. c. 74. s. 93.

153. The Board of the County shall exercise a general Control and Authority over every Bridewell in the County, as herein-before provided, and shall have similar Powers in respect to the same to those vested in them by this Act in relation to Prisons and without Prejudice to such Authority the Justices of the Peace, or any of them (to be selected by the said Board), who usually attend the Petty Sessions of any Petty Sessions District in which such Bridewell is situate, are hereby constituted an Auxiliary Board of Superintendence of such Bridewell, for the Purpose of inspecting the same, and of reporting to the Board of Superintendence in relation to the Repairs of such Bridewell, the Supply of Necessaries therein, the Cost of Dietary according to the average Prices in the neighbouring Markets, the keeping of the Registry and List of Committals, and as to all Matters affecting the Health and Discipline of the Prisoners in such Bridewell, and the Conduct of the Officers thereof; and such Justices and each of them shall have full Power and Authority from Time to Time to inquire into all Matters and Things connected with such Bridewell, and to examine Witnesses on Oath in relation thereto, and to report to the Board of Superintendence all such Matters and Things as may seem fit and proper to be communicated to such Board, or to be known by them, and in particular as to the Manner in which the several Regulations

from

from Time to Time lawfully in force in relation to such Bridewell are respectively observed and carried out.

Returns to be made by Keepers of Bridewells, and Expenses to be paid. 19 & 20 Vict. c. 68. s. 27. 7 G. 4. c. 74. s. 95.

154. A Return shall be made by the Keeper of every Bridewell, in the Form No. 21 in the Second Schedule to this Act annexed, or in such other Form as the Lord Lieutenant shall approve, of the Committal and Discharge of Prisoners, and all Expenses incurred in such Bridewell for or in respect of such Prisoners; and one Copy of such Return shall be preserved in the Bridewell and another shall be transmitted to the Board of the County within Fourteen Days after the Thirty-first Day of March, the Thirtieth Day of June, the Thirtieth Day of September, and the Thirty-first Day of December in each Year; and the Board shall examine and certify such Copy, and shall administer to the Keeper an Oath as to the Truth of such Return, and thereupon shall pay the Amount of the Expense so incurred and specified in such Return, together with Allowances for Fire, Candles, and Straw; and it shall be lawful for the Central Board of Superintendence to add the Amount mentioned in such Return, or so much thereof as shall be certified by the Board to have been properly incurred, to their annual Estimate or Account, under the One hundred and eleventh and One hundred and thirteenth Sections of this Act, and the same shall be dealt with accordingly; provided that it shall be lawful for the Board of Superintendence, if they shall so think fit, to delegate their Powers and Duties in reference to such Return to the Auxiliary Board, and thereupon such Auxiliary Board shall exercise such Powers and Duties, and shall certify to the Central Board all the Monies payable thereunder or in respect thereof, who shall receive such Monies from the Central Board for Distribution of the Amount mentioned in such Return as shall be certified by the Board to have been properly incurred; and every such Keeper shall, at the Times specified as aforesaid, furnish to the Inspectors General of Prisons a Return certifying the Number of Prisoners confined in the Bridewell during the preceding Quarter, together with the Number of Meals actually issued to such Prisoners whilst so confined, and the Cost of their Maintenance, and the Number of Prisoners committed thereto for Drunkenness.

PART XI.

Four Courts Marshalsea.

Marshalsea to be under

155. The Marshalsea of the Four Courts shall be kept separate and distinct from all other Prisons, and shall be under the Care of

Care of Marshal. 7 G. 4. c. 74. ss. 118. 123. 19 & 20 Vict. c. 68. s. 17.

a Governor, to be styled the Marshal of the Four Courts, and such Staff of Officers, consisting of Deputy Marshal, Local Inspector, Chaplain, Medical Officer, Apothecary, Hatchmen, and other Officers as the Lord Lieutenant shall appoint.

Salaries to be paid, as Lord Lieutenant shall direct, out of Funds to be provided by Parliament. 19 & 20 Vict. c. 68. s. 17. 7 G. 4. c. 74. ss. 119. 123.

156. *The Marshal shall reside constantly in the Marshalsea, and he and all other Officers of the Marshalsea, including the Hatchmen and inferior Officers, shall be appointed by and removable at the Will and Pleasure of the Lord Lieutenant; and the Marshal and such Officers respectively shall be paid such Salaries as the Lord Lord Lieutenant, with the Sanction of the Commissioners for the Time being of Her Majesty's Treasury, shall in that Behalf direct, and thereupon all former Salaries payable to any of such Officers shall cease; and such Salaries, and also the Expense of providing all such Articles as shall be necessary for the Support of the poor Prisoners in the Marshalsea, shall be paid out of any Monies appropriated by Parliament for the Purpose.*

Lord Lieutenant to make Byelaws for Marshalsea. 7 G. 4. c. 74. s. 120.

157. It shall be lawful for the Lord Lieutenant, by an Order under the Hand of the Chief or Under Secretary, to direct that any Byelaws or Regulations to be specified or referred to in such Order shall be observed and carried out in relation to such Marshalsea, and the Management thereof and of the Prisoners therein.

Classification of the Prisoners. 7 G. 4. c. 74. s. 120. 20 & 21 Vict. c. 60. s. 240.

158. Subject to such Regulations as last aforesaid, the Prisoners confined in the said Marshalsea shall be divided into so many Classes and separated in such Manner as the Lord Lieutenant shall appoint, provided that there shall not be less than *Three* Classes of Male Prisoners, the first containing Prisoners paying Rent for their Lodging, the second containing the Common Hall Prisoners subject to no Rent, but who shall supply Furniture, Food, and Necessaries for themselves, and the third containing Pauper Prisoners, who shall be and are hereby entitled to all the Allowances of Furniture, Clothing, and Food supplied under this Act to poor Prisoners in County Prisons, and subject to similar Regulations; provided that no Person shall be entitled to receive such Allowances without making and subscribing the Declaration contained in "The Irish Bankrupt and Insolvent Act, 1857," Section Two hundred and forty.

Rates of Lodgings shall be under the like Order. 7 G. 4. c. 74. s. 121.

159. The Rates payable by way of Rent for Lodgings to which the Prisoners of the First Class are to be made subject, as well as the Apartments to which they shall extend, shall be regulated from Time to Time by the Rules and Regulations so to be established under

under the Sanction of the Lord Lieutenant, and the Amount thereof shall be received by the Marshal, and paid to the Local Inspector, and placed to the Credit of his Account.

Penalty on Officers taking Fees. 7 G. 4. c. 74. s. 122.

160. No Officer whosoever of the Marshalsea shall, under any Circumstances whatsoever, receive any Fees or Emoluments from any of the Prisoners confined therein; and if any such Officer shall exact, demand, take, or receive from any Prisoners in the said Marshalsea any Money by way of Fee, Reward, or Gratuity, or shall exact any Sum greater than the regulated Rates for the Lodging of any Prisoner, the Officer who shall so offend shall forfeit for the First Offence the Sum of *Fifty Pounds*, the *one Moiety* thereof to be payable to Her Majesty, and the *other Moiety* to the Person from whom such Money shall have been exacted, who may sue for and recover the same in any of the Superior Courts of Common Law at Dublin; and if after such Conviction such Officer shall again so offend he shall thereupon forfeit his Office, and be incapable of holding the same or of being employed under the Four Courts.

Judges, &c. to have same Powers as to Persons in Marshalsea as heretofore. 19 & 20 Vict. c. 68. s. 3.

161. The Lord Chancellor and other Judges of the High Court of Chancery in Ireland, the Judges of the Superior Courts of Common Law at Dublin, and the Judges of the Landed Estates Court, Court of Bankruptcy and Insolvency, and of the Court of Admiralty in Ireland, shall have and exercise the same Powers with respect to ordering the Marshal to take into Custody any Person committed by them respectively, or to bringing before them any Prisoners in his Custody, as the Judges of the said Courts of Common Law have heretofore exercised in relation to the Four Courts Marshalsea.

Lord Lieutenant may order enlarging, &c. of Marshalsea, &c. 7 G. 4. c. 74. s. 10.

162. It shall be lawful for the Lord Lieutenant to direct that the Marshalsea shall be altered, enlarged, or repaired, or that a new Marshalsea shall at any Time be built on the same or any other Site or Situation, and on any Plan which he shall think proper, and to issue his Order to the Commissioners of Public Works in Ireland for the executing of such Work accordingly; and the said Commissioners of Public Works in Ireland shall cause such Work to be executed according to such Order, and in such Way, whether by Contract or otherwise, as shall be directed by such Order, and for default of such Direction then in such Way as the said Commissioners of Public Works in Ireland shall think expedient.

Expenses of altering, &c. Marshalsea,

163. The Expense of altering, enlarging, and repairing the Marshalsea, and all Rent payable in respect thereof, or of the

&c. how to be paid. 7 G. 4. c. 74. s. 7.

Ground or Appurtenances thereof respectively, shall be paid out of any Monies which may be appropriated by Parliament for the Purpose.

Lord Lieutenant may remove Prisoners in Marshalsea. 7 G. 4. c. 74. s. 53.

164. It shall be lawful for the Lord Lieutenant, on the finishing of a new Marshalsea, or on the Occasion of repairing the present Marshalsea, or for any other Reason which shall appear to him sufficient, to order that all or any of the Prisoners in the said Marshalsea shall be removed to any other Prison specified in such Order, there to remain until discharged by due Course of Law, or until removed by another Order of the like Nature, or remanded to the said Marshalsea, and no such Removal shall be deemed an Escape.

165. The Local Inspector of the Four Courts Marshalsea shall have Authority at any Time, if directed to do so by the Lord Lieutenant, or if such Local Inspector shall see fit, to inquire into the Management and Discipline of the Marshalsea, and into the Conduct of any Officer or Officers thereof, and of any Prisoner or Prisoners confined therein, and to report the Result of such Inquiry and the Evidence received thereon to the Lord Lieutenant; and the Local Inspector, in holding any Inquiry under this Section, shall have Authority to require the Production of all Books, Documents, and Papers which he shall deem necessary, and to examine all Persons as Witnesses upon Oath.

PART XI.

Repeal of Statutes, and Saving Clauses.

Acts and Parts of Acts in Third Schedule repealed.

166. After the Commencement of this Act there shall be repealed the several Acts specified in the Third Schedule hereto, to the Extent in the said Schedule mentioned.

No Repeal hereby enacted to affect any Order made, &c.

167. No Repeal hereby enacted shall affect

1. Any Order made, Sentence passed, or other Act or Thing duly done under any Acts hereby repealed:
2. Any Right or Privilege acquired, any Security given, or other Liability incurred under any Act hereby repealed:
3. Any Penalty, Forfeiture, or other Punishment incurred in respect of any Offence against any Act hereby repealed:

4. Any

4. Any Appointment to an Office made under any Act hereby repealed, or any Power of removing the Holder of such Office, or otherwise dealing with such Office as respects the existing Holder thereof in manner provided by any Act hereby repealed:

5. The Power of committing Prisoners to any Prison, except in so far as the same may be altered, in pursuance of Powers given by this Act.

Certificates as to Cells.

168. All Cells certified before the Commencement of this Act by any Inspector of Prisons as being fit to be used for the separate Confinement of Prisoners shall be deemed to be Cells certified for such Purpose under this Act.

Saving as to repealed Provisions referred to in other Acts.

169. Any unrepealed Act of Parliament in which Reference is made to the Provisions of any Act hereby repealed shall be construed as if in such first-mentioned Act Reference had been made to the corresponding Provisions of this Act.

Saving of Superannuation Allowances.

170. Nothing in this Act contained shall affect the Tenure of Office, Compensation, Salary, or Superannuation Allowance of any Person appointed to any Office appointed prior to the Commencement of this Act, but such Person shall remain entitled to the same Compensation, Tenure of Office, Salary, and Superannuation Allowance as if this Act had not passed; provided that all the Inspectors General, and all Prison Officers appointed before the Commencement of this Act, shall perform the Duties and have the Powers annexed to their respective Offices by this Act; and all Prison Officers appointed before the passing of this Act shall be subject to the Powers of Suspension and Removal given by this Act.

Saving as to Rules.

171. All Rules and Byelaws in force in any Prison that are inconsistent with this Act, or the Regulations in the Schedule hereto, shall be repealed from and after the Commencement of this Act, but all other Rules in force in any Prision shall so continue until altered in manner in this Act provided.

Saving as to Commissions.

172. Nothing in this Act contained relating to the Custody of Prisoners shall affect the Validity of any Commission of Gaol Delivery, Commission of Oyer and Terminer, or other Commission, Precept, Writ, Warrant, or other Document, notwithstanding the

same may be addressed to or make Mention of the Sheriff of any County, City, or Place, instead of being addressed to or making Mention of the Gaoler of a Prison or Prisons; and every such Commission, Precept, Writ, Warrant, or other Document shall be obeyed by the Gaoler, and take effect in the same Manner as if the Gaoler had been named therein instead of the Sheriff.

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General.

Cleanliness in Prison. 28 & 29 Vict. c. 126. sch. 1. No. 1. 7 G. 4. c. 74. s. 109. cl. 7.

1. The Prison shall be kept in a cleanly State, and the Walls and Ceilings of the Wards, Cells, Rooms, and Passages used by the Prisoners throughout every Prison shall either be painted with Oil, or be limewashed, or partly painted and partly limewashed. Where painted with Oil the Painting shall be washed with Hot Water and Soap once at least in every Six Months. Where limewashed the Limewashing shall be scraped and renewed twice at least in every Year. The Day Rooms, Work Rooms, Passages, and sleeping Cells shall be washed or cleansed once a Week, or oftener if requisite. The Straw used by the Prisoners shall be renewed once in every Two Months. A Fire shall be kept burning in each Day Room for Ten Hours of the Day, from the First Day of October to the First Day of April in every Year, and at such other Times as the Board shall deem necessary. Thermometers shall be placed in suitable Positions within the Prisons, and a Record of the Temperature shall be kept by the Governor.

Things not allowed against Walls. 28 & 29 Vict. c. 126. sch. 1. No. 2.

2. Nothing shall be allowed to grow against the outer Walls of the Prison, nor any Rubbish or other Articles to be laid against them, nor shall any Ladders, Tools, or Implements of any Kind likely to facilitate Escape, be left unnecessarily exposed.

No Animals or Poultry to be kept in Prison. 7 G. 4. c. 74. s. 109.

3. No Horses, Dogs, Cows, Pigs, Cattle, or other Animals, or Poultry of any Kind, shall be kept within any Prison.

Visitors not to sleep in Prison. 28 & 29 Vict. c. 126. sch. 1. No. 4.

4. No Subordinate Officer of any Prison shall allow any other Person to sleep in his Apartments without Permission from the Governor; such Permission, when given, shall be reported by the Governor to the Board at its next Meeting.

Hours of locking and unlocking Prison. 28 & 29 Vict. c. 126. sch. 1. No. 5.

5. A Report shall be made to the Governor at Ten o'Clock each Night whether the Officers resident in the Prison are all present, and no Ingress or Egress shall be allowed into or out of the Prison between the Hours of Ten o'Clock at Night and Six o'Clock in the Morning, except to the Governor and his Family, the Chaplain, or Surgeon, or in special Cases, which shall be entered in the Journal of the Governor. Tell-tale Clocks shall be placed in suitable Positions in the Prison, and shall be duly marked by the Officers on Night Watch or Patrol. All proper Precautions shall be taken to prevent such Clocks being tampered with.

Gaming prohibited, Swearing and profane Language and Noise forbidden. 7 G. 4. c. 74. s. 109. 28 & 29 Vict. c. 126. sch. 1. No. 30.

6. No Gaming shall be permitted in any Prison, and the Governor shall seize and destroy all Dice, Cards, or other Instruments of Gaming. No Swearing, profane or indecent Language, or unreasonable Noise shall be allowed in any Prison.

Admission and Discharge of Prisoners.

Search of Prisoners on Admission.
28 & 29 Vict. c. 126. sch. 1. No. 6.

7. Prisoners on Admission shall be searched, and all dangerous Weapons, Articles calculated to facilitate Escape, and prohibited Articles, shall be taken from them.

Prisoner to be alone when searched, and Female Prisoners to be searched by Females only.
28 & 29 Vict. c. 126. sch. 1. No. 7.

8. No Prisoner shall be searched in the Presence of any other Prisoner. Female Prisoners shall be searched by Female Officers only.

Effects retained by Gaoler.
Ib. No. 8.

9. All Money or other Effects brought into the Prison by any Prisoner, or sent to the Prison for his Use, which he is not allowed to retain, shall be placed in the Custody of the Governor, who shall keep an Inventory of them in a separate Book.

Register of certain Particulars relating to Prisoner.
Ib. No. 9.

10. The Name, Age, Height, Weight, Features, particular Marks, and general Appearance of a criminal Prisoner shall, upon his Admission, be noted in a nominal Record of Prisoners, to be kept by the Governor. Every criminal Prisoner shall also, as soon as possible, be examined by the Medical Officer, who shall enter in a Book to be kept by the Governor a Record of the State of Health of the Prisoner, and any Observations he may deem it expedient to add.

Medical Inspection, Removal, and Discharge of Prisoners.
28 & 29 Vict. c. 126. sch. 1. No. 10.
7 G. 4. c. 74. s. 109. cl. 20.

11. All Prisoners previously to being removed to any other Prison, or being discharged from Prison, shall be examined by the Medical Officer; and no Prisoner shall be removed to any other Prison, except in case of Necessity, unless the Medical Officer shall certify that in his Opinion the Prisoner is free from any Illness rendering him unfit for Removal; and no Prisoner shall be discharged from Prison if labouring under any acute Disease or dangerous Distemper, nor until, in the Opinion of the Medical Officer, such Discharge is safe, unless such Prisoner require to be discharged.

Expenditure in respect of discharged Prisoners.
7 G. 4. c. 74. s. 111.
28 & 29 Vict. c. 126. ss. 41, 42, 43.
28 & 29 Vict. c. 126. s. 41.

12. On the Discharge of any Prisoner, the Board may, if they shall think fit, direct that such moderate Sum of Money as to them shall seem expedient shall be expended for the Benefit of such Prisoner in enabling him to return to his Home or otherwise. Such Sum shall be expended by the local Inspector.

13. When the Term of any Prisoner's Imprisonment would, according to his Sentence, expire on Sunday, such Prisoner shall be entitled to be discharged and shall be discharged on the Saturday next preceding such Sunday.

Food, Clothing, and Bedding of Prisoners.

Spirituous Liquors.
7 G. 4. c. 74. s. 109. cl. 5.
28 & 29 Vict. c. 126. sch. No. 13.

14. No Tap shall be kept in any Prison, nor shall spirituous Liquors of any Kind be admitted for the Use of any of the Prisoners therein, under any Pretence whatever, unless by a written Order of the Medical Officer, specifying the Quantity to be admitted, and the Name of the Prisoner for whose Use it is intended; but this Regulation shall not apply to any Stock of spirituous Liquors kept in the Prison for the Use of the Infirmary, and under the Control of the Medical Officer.

Smoking.
28 & 29 Vict. c 126. sch. No. 14.

15. No smoking shall be allowed, or Tobacco introduced, except under a written Order of the Medical Officer.

Order of Surgeon as to Spirituous Liquors, &c.
28 & 29 Vict. c. 126. sch. No. 15.

16. Any Order by the Medical Officer for the Admission of spirituous Liquors or Tobacco shall be entered by him in his Journal.

17. A Debtor

Debtor may maintain himself.
28 & 29 Vict. c. 126. sch. No. 16.
19 & 20 Vict. c. 68. s. 15.

17. A Debtor shall, subject to Examination, and to such Rules as may be approved by the Board, be permitted to maintain himself, and to procure or receive at proper Hours Food, Clothing, Bedding, or other Necessaries, and, subject to the Sanction of the Medical Officer, Wine or Malt Liquors.

Debtor not to sell Provisions.
Ib. No. 17.

18. No Part of any Food, Wine, or Malt Liquor, Clothing, Bedding, or other Necessaries belonging to any Debtor shall be given or sold to any other Prisoner; and any Debtor transgressing this Regulation shall lose the Privilege of receiving or purchasing any Wine or Malt Liquor for such a Time as the Board may deem proper.

Untried Criminal Prisoners not maintaining themselves.
Ib. No. 19.
Prisoner before Trial may maintain himself.
19 & 20 Vict. c. 68. s. 15.

19. A Criminal Prisoner before Trial may procure for himself, or receive at proper Hours, Food and Malt Liquor, Clothing, Bedding, or other Necessaries, subject to Examination, and to such Rules as may be approved by the Board; and any Articles so procured may be paid for out of the Moneys belonging to such Prisoner in the Hands of the Governor. No Part of such Food, Malt Liquor, Bedding, Clothing, or other Necessaries shall be sold or transferred to any other Prisoner; and any Prisoner transgressing this Regulation shall be prohibited from procuring any Food or other Necessaries for such Time as the Board may deem proper.

Dress of Criminal Prisoner before Trial.
Ib. No. 20.

20. Criminal Prisoners before Trial may, if they desire it, wear the Prison Dress, and they shall be required to do so if their own Clothes are insufficient or unfit for Use, or necessary to be preserved for the Purposes of Justice, but not under any other Circumstances. The Prison Dress for Prisoners before Trial shall be of a different Colour from that of convicted Prisoners.

Prison Allowance to Debtors and untried Criminal Prisoners.
Ib. No. 18, 19.
19 & 20 Vict. c. 68. s. 13.

21. Debtors and Criminal Prisoners before Trial who do not provide themselves with Food, Bedding, and other Necessaries, and Debtors and untried Criminal Prisoners deprived of the Privilege of providing themselves under the Provisions of Clauses 18 and 19 of this Schedule, shall be provided with Food, according to the Dietary for convicted Prisoners, and with such Bedding as is mentioned in the following Clause.

Bedding.
7 G. 4. c. 74. s. 78.
19 & 20 Vict. c. 68. s. 12.

22. The Bedding supplied to Prisoners shall consist of a Cot or Hammock or Ticken for Straw, Three single Blankets, and a Pair of Sheets to each Bed.

Prison Allowance of Food to convicted Prisoners.

23. Convicted Prisoners shall in all Cases be supplied with Food according to the Prison Dietary Table as prepared by the Inspectors General, or either of them, and with the Bedding mentioned in the preceding Clause. Prisoners under the Care of the Surgeon shall be allowed such Diet as he may direct.

Convicted Prisoners restricted to Prison Allowances of Food and Bedding.
19 & 20 Vict. c. 68. s. 16.

24. No convicted Prisoner shall be permitted to procure, receive, or use any Food or Bedding other than that supplied to him aforesaid, unless the Medical Officer of the Prison shall by Certificate under his Hand declare that such other Sustenance, of a Kind and Quantity to be mentioned in such Certificate, shall be requisite for any such Prisoner, and in any such Case the Reasons for granting such Certificate shall be inserted by the Medical Officer in his Journal; and if the Sustenance ordered by such Certificate shall be continued for any Period exceeding One Week, a Notice in Writing thereof shall be given by the Medical Officer to the Inspectors-General of Prisons.

Prison Dress. 7 G. 4. c. 74. s. 78. 19 & 20 Vict. c. 68. s. 12.

25. The Prison Dress shall consist of a Cap, a Jacket, a Shirt, Waistcoat, a Pair of Trousers, a Pair of Socks or Stockings, and a Pair of Shoes to each Male Prisoner; and a Cap, a suitable Gown, Underclothing, Pair of Stockings, and Pair of Shoes for each Female Prisoner; together with such Changes of Underclothing for Prisoners of both Sexes as shall, in the Opinion of the Medical Officer, be requisite for Health and Cleanliness.

Prison Dresses to be worn by all Prisoners, unless Board shall specially order otherwise. 19 & 20 Vict. c. 68. s. 13.

26. All convicted Prisoners shall be supplied with and shall wear the Prison Dress, unless the Board shall otherwise direct, by a special Order in Writing entered in their Minute Book, and signed by a Majority of the Members present at the Meeting at which such Order shall be made; and in all such Cases as last aforesaid the Board shall enter upon their Minutes the special Circumstances under which such Order shall have been made, and shall forthwith furnish to the Inspectors-General of Prisons a Report of such Circumstances, and of the Offence for which the Person respecting whom such Order shall have been made was sentenced, and of the Date and Particulars of such Sentence; and if, upon any such Report being transmitted to the Lord Lieutenant by the Inspectors-General, it shall appear to him that such Order of the Board was not justified by the Circumstances set forth in such Report, the Lord Lieutenant shall, if he think proper, rescind such Order of the Board by an Order under the Hand of the Chief or Under Secretary for Ireland, and by such Order shall direct the Prison Dresses to be worn by the Prisoners specified therein.

Power of Lord Lieutenant to rescind the Order.

Wine, Beer, &c. not allowed by the Board. 28 & 29 Vict. c. 126. sch. 1. No. 22.

27. No convicted Criminal Prisoner shall be allowed any Wine, Beer, or other fermented Liquor, except under a written Order from the Medical Officer, to be entered in his Journal, specifying the Quantity and the Name of the Prisoner for whose Use it is intended.

Return of Clothing to discharged Prisoner. Ib. No. 24.

28. On the Discharge of a Prisoner his own Clothes shall be returned to him, unless it has been found necessary to destroy them, in which Case he shall be provided with Clothing.

Purification of Clothing of Prisoner. 28 & 29 Vict. c. 126. sch. 1. No. 25.

29. If necessary the Clothes of a Prisoner shall be purified before he is allowed to wear them in the Prison, or to take them on his Discharge.

Beds. Ib. No. 26.

30. Every Male Prisoner shall sleep in a Cell by himself, or under special Circumstances in a separate Bed placed in a Cell containing not fewer than Two other Male Prisoners, and sufficient Bedclothes shall be provided for every Prisoner. A convicted Criminal Prisoner may be required to sleep on a Plank Bed without a Mattress during such Time as may be determined by the Rules of the Prison. Epileptic Prisoners, or Prisoners labouring under Diseases requiring Assistance or Supervision in the Night, may, at any Time, notwithstanding this Regulation, be placed by Order of the Surgeon with not fewer than Two other Male Prisoners.

Airing, &c. of Bedding. Ib. No. 27.

31. The Bedclothes shall be aired, changed, and washed as often as the Medical Officer or the Board may direct.

Personal Cleanliness.

Personal Cleanliness of Prisoners. 28 & 29 Vict. c. 126. sch. 1. No. 28.

32. Prisoners shall be required to keep themselves clean and decent in their Persons, and to conform to such Rules as may be laid down for that Purpose by the Board.

33. The

33. The Hair of a Female Prisoner shall not be cut without her Consent, except on account of Vermin or Dirt, or when the Medical Officer deems it requisite on the Ground of Health; and the Hair of Male Criminal Prisoners shall not be cut closer than may be directed by the Medical Officer, for Purposes of Health and Cleanliness.

Hair-cutting. 28 & 29 Vict. c. 126. sch. 1. No. 29.

34. Convenient covered Lavatories shall be provided for Prisoners, with an adequate Allowance of Soap, Towels, and Combs.

Lavatories. 7 G. 4. c. 74. s. 109. cl. 7.

Health of Prisoners.

35. Debtors shall have the Means of daily taking Exercise in the open Air.

Exercise of Debtors. 28 & 29 Vict. c. 126. sch. 1. No. 39.

36. Criminal Prisoners, if employed at Work in their own Cells, shall be permitted to take such Exercise in the open Air as the Medical Officer may deem necessary for their Health.

Of Prisoners in separate Confinement. Ib. No. 40.

37. The Names of the Prisoners who desire to see the Medical Officer, or appear out of Health, shall be reported by the Officer attending them to the Governor, and by him without Delay to the Medical Officer.

When Prisoners to be reported to Medical Officer. Ib. No. 41.

38. All Directions given by the Medical Officer in relation to any Prisoner, with the Exception of Orders for the Supply of Medicines, or Directions in relation to such Matters as are carried into effect by the Medical Officer himself, or under his Superintendence, shall be entered Day by Day in his Journal, which shall have a separate Column in which Entries are to be made by the Governor, stating in respect of each Direction the Fact of its having been or not having been complied with, accompanied by such Observations, if any, as the Gaoler may think fit to make, and the Date of the Entry.

Entry of Directions by Medical Officer. Sch. 1. No. 42.

39. In every Prison an Infirmary or proper Place for the Reception of Sick Prisoners shall be provided.

Infirmaries. 28 & 29 Vict. c. 126. sch. 1. No. 43.

Employment of Prisoners.

40. Debtors may be permitted to work and follow their respective Trades and Professions, provided their Employment does not interfere with the Regulations of the Prison; and such Debtors as find their own Implements, and are not maintained at the Expense of the Prison, shall be allowed to receive the whole of their Earnings; but the Earnings of such as are furnished with Implements, or are maintained at the Expense of the Prison, shall be subject to a Deduction, to be determined by the Board, for the Use of Implements and the Cost of Maintenance.

Work and Earnings of Debtors. 28 & 29 Vict. c. 126. sch. 1. cl. 31.

41. Criminal Prisoners before Trial shall have the Option of Employment, but shall not be compelled to perform any Hard Labour.

Employment of Criminal Prisoners before Trial. Ib. cl. 32.

42. On the Acquittal of any Criminal Prisoner, or when no Bill of Indictment is found against him, such an Allowance on account of his Earnings, if any, shall be paid to such Prisoner on his Discharge as the Board may think reasonable.

Allowance out of Earnings to acquited Prisoners. Ib. cl. 33.

43. The Board shall not permit any Profession, Trade, Business, Calling, or Employment to be carried on by any Debtor or other Prisoner inconsistent with the due Regulation, Discipline, or Management of the Prison, or which the

Work inconsistent with Prison Discipline not to be permitted. 19 & 20 Vict. c. 68. s. 28.

the Lord Lieutenant shall, on the Report of an Inspector-General, signify to the Board to be inexpedient or improper.

Hard Labour.

44. The Board shall make Provision in the Prison for carrying out all Sentences to Hard Labour passed on Prisoners in the Prison.

No Prisoner to be kept to Hard Labour unless sentenced thereto.
7 G. 4. c. 74. s. 104.

45. No Prisoner shall be put to Hard Labour unless sentenced thereto.

Regulations as to Hard Labour of the First Class.
28 & 29 Vict. c. 126. sch. 1. cl. 34.

46. Every Male Prisoner of Sixteen Years of Age and upwards, sentenced to Hard Labour, shall, during the whole of his Sentence where it does not exceed Three Months, and during the first Three Months of his Sentence where it exceeds Three Months, be kept at Hard Labour of the First Class, for such Number of Hours not more than Ten or less than Six (exclusive of Meals), as may be prescribed by the Board, and during the Remainder of his Sentence shall be kept in like Manner at Hard Labour of the First Class, except where during the Remainder of his Sentence the Board substitutes Hard Labour of the Second Class for Hard Labour of the First Class; provided, that if the Medical Officer certifies any such Prisoner to be unfit to be kept at Hard Labour of the First Class during the whole or any Part of the prescribed Hours, such Prisoner shall, during such whole or Part of the prescribed Hours, be kept at Hard Labour of the Second Class, unless the Medical Officer certifies that such Prisoner is unfit to be kept at either Class of Hard Labour during the whole or any Part of such Hours.

Regulations as to Hard Labour of the Second Class.
Ib. cl. 35.

47. Every Male Prisoner under the Age of Sixteen Years sentenced to Hard Labour, and every Female Prisoner sentenced to Hard Labour, shall be kept at Hard Labour of the Second Class during such Number of Hours not more than Ten or less than Six (exclusive of Meals) in each Day as may be prescribed by the Board, unless the Medical Officer certifies that he or she is unfit for Hard Labour.

Days of Exemption from Hard Labour.
Ib. cl. 36.

48. No Prisoner shall be employed at Hard Labour on Sundays, Holidays, and Days appointed for Public Fasts or Thanksgivings, and such other Days as the Lord Lieutenant shall appoint.

Examination by Medical Officers of Prisoners at Hard Labour.

49. The Medical Officer shall from Time to Time examine the Prisoners sentenced to Hard Labour during the Time of their being so employed, and shall enter in his Journal the Name of any Prisoner whose Health he thinks to be endangered by a Continuance at Hard Labour of either Class, and thereupon such Prisoner shall not again be employed at such Class of Hard Labour until the Medical Officer certifies that he is fit for such Employment.

Religious Instruction.

Chaplains to superintend Instruction.
Bill s. 86.

50. The secular and religious Instruction of the Prisoners of each Persuasion having a Chaplain shall be superintended by the Chaplains of their own Persuasion. Each Chaplain shall from Time to Time examine the Prisoners of their own Persuasion as to their Progress, and shall see that the Schoolmaster and Schoolmistress are properly qualified and efficiently discharge their respective Duties, and that there is in the Prison a proper Supply of Books and other necessary Materials for Instruction.

51. Each

51. Each Chaplain (when there are Prisoners of his own Persuasion in the Prison) shall visit the Prison *twice* at least in each Week, exclusive of his Attendance on Sunday, and on the Occasion of each such Visit he shall go into every Room and Cell wherein any Prisoner of his Persuasion shall be confined, and shall converse with and exhort each such Prisoner; he shall continue such Offices in the Case of condemned Prisoners down to the Time of Execution. Chaplains to visit the Prison. 7 G. 4. c. 74. s. 69.

52. Each Chaplain shall celebrate Divine Service for the Prisoners of his own Persuasion within the Prison on every Sunday. Divine Service.

53. In every Prison where there is no Chapel a suitable Room shall be set apart for the Purposes of the Chapel. Room for Use as Chapel.

54. When a Prisoner or Prisoners of a Religion not having a Chaplain appointed for the Prison shall be confined in any Prison, such Prisoners may be visited by a Minister of his or their Religion at such Times and subject to such Regulations as the Board shall from Time to Time make. Visitation of Prisoners not having a Chaplain appointed.

Secular Instruction.

55. Provision shall be made in every Prison for the Instruction of Prisoners in Reading, Writing, and Arithmetic, and in useful Trades, during such Hours, not being less than Two Hours in each Day, and to such Extent as the Board shall deem expedient; such Hours shall not be deducted from the Hours prescribed for Hard Labour. Instruction of Prisoners. Bill s. 117. 28 & 29 Vict. c. 126. sch. 1. cl. 53.

56. All necessary Books, Materials, and other Requisites for Instruction, shall be provided by the Board at the Expense of the Prison. Books and Materials to be provided. Bill s. 117.

Visits to and Communications with Prisoners.

57. Due Provision shall be made for the Admission, at proper Times, and under proper Restrictions, of Persons with whom Prisoners may desire to communicate, and such Rules and Regulations in that Behalf shall be made by the Board as shall be consistent with the Maintenance of good Order and Discipline in the Prison; but no such Persons shall be admitted to visit Prisoners on Sundays, except in special Cases, under the Order of the Local Inspector or Board. Prisoners may be visited at proper Times. 7 G. 4. c. 74. s. 109. cl. 19.

58. The Governor may demand the Name and Address of any Visitor to a Prisoner; and when he has any Ground for Suspicion may search or cause to be searched Male Visitors, and may direct the Matron or some other Female Officer to search Female Visitors, such Search not to be in the Presence of any Prisoner or of another Visitor; and in case of any Visitor refusing to be searched, the Governor may deny him or her Admission, the Grounds of such Proceeding, with the Particulars thereof, to be entered by the Governor in his Journal. Power of Gaoler as to Visitors. 28 & 29 Vict. c. 126. sch. 1. cl. 55.

59. All Prisoners committed for Trial or Examination shall be permitted to see their legal Advisers at all reasonable Times, and in private, if required, unless the Board of Superintendence or the committing Justice shall have issued an Order to the contrary, or unless the Governor shall know any sufficient Cause why such legal Adviser should not be admitted, in which Case the Name of the Applicant and the Prisoner he seeks to visit shall be entered Prisoners shall be permitted to see their legal Advisers. Bill, s. 61.

entered by the Governor in his Journal; convicted Prisoners shall also be allowed to see their legal Advisers on an Order from the local Inspector or Board; provided that every Person to be admitted as such legal Adviser shall be a certified Attorney or his authorized Clerk. Letters addressed to or written by Prisoners committed for Trial or Examination shall be inspected by the Governor, except confidential written Communications prepared as Instructions for their legal Advisers. Such Instructions shall be delivered personally to their legal Adviser or his authorized Clerk. The Governor may stop any such Letters (save such Instructions) for sufficient Reason, and he shall record the Fact and the Reason of his stopping such Letters in his Journal. Any Person claiming Admission as authorized Clerk of a certified Attorney shall, in the Absence of his Principal, produce to the Governor in each Case satisfactory Evidence of his being such authorized Clerk.

Convicted Prisoners not allowed to see Relations, &c. for Three Months. Bill, s. 62.

60. Convicted Prisoners shall not be allowed to see their Relations and Friends until *Three* Months from the Date of their Sentence, and not oftener than once in each Period of *Three* Months afterwards: Provided, that, in special Cases, convicted Prisoners, as also Prisoners committed for Nonpayment of Penalties, and for Want of Sureties, may be permitted to see their Relations and Friends, such special Circumstances to be judged by the Local Inspector or the Board.

Prison Offences.

PrisonOffences. 28 & 29 Vict. c. 126. sch. 1. cl. 63.

61. No Punishments or Privations of any Kind shall be awarded except by the Governor or by a Justice.

Power of Governor to punish for PrisonOffences. 7 G. 4. c. 74. s. 109. cl. 15. 28 & 29 Vict. c. 126. sch. 1. cl. 64.

62. The Governor shall have Power to hear Complaints respecting any of the Offences following; that is to say,

1. Disobedience of the Regulations of the Prison by any Prisoner.
2. Common Assaults by One Prisoner on another.
3. Profane Cursing and Swearing by any Prisoner.
4. Indecent Behaviour.
5. Making an unreasonable Noise by whistling, talking, or in any other Way, by any Prisoner.
6. Irreverent Behaviour at Chapel by any Prisoner.
7. Insulting or threatening Language by any Prisoner to any Officer or Prisoner.
8. Absence from Chapel without Leave by any convicted Criminal Prisoner.
9. Idleness or Negligence at Work by any convicted Criminal Prisoner.
10. Wilful Mismanagement of Work by any convicted Criminal Prisoner.

All the above Acts are declared to be Offences against Prison Discipline; and it shall be lawful for the Governor to examine any Person upon Oath touching such Offences, and to determine thereupon, and to punish such Offences by ordering any Offender, for any Time not exceeding Three Days, to close Confinement, to be kept there upon Bread and Water. And the Governor shall enter in a separate Book, called the Punishment Book, a Statement of the Nature of any Offence that he has punished in pursuance of this Regulation, with the Addition of the Name of the Offender, the Date of the Offence, and the Amount of Punishment inflicted.

63. The

Use of Irons. 7 G. 4. c. 74. s. 109. cl. 17.

63. The Governor shall keep no Prisoner under his Charge in Irons, or under mechanical Restraint, except in case of urgent and absolute Necessity; and the Particulars of every such Case shall be entered by the Governor in his Journal and Punishment Book, and Notice thereof forthwith given to Two Members of the Board of Superintendence; and the use of Irons shall not be continued in the Case of any Prisoner longer than *Twenty-four* Hours, without an Order in Writing signed by Three Members of such Board, One of whom shall be a Justice of the Peace, and therein specifying the Cause of such further Use of Irons, and the Time during which the same may continue; and such Order shall be preserved by the Governor as his Warrant for such further Uses.

Punishment of Prisoners by Justice of the Peace. 7 G. 4. c. 74. s. 109. cl. 16.

64. If any Prisoner shall be guilty of repeatedly offending against the Rules of the Prison, or shall be guilty of any Offence greater than the Governor shall have Authority to punish, he shall forthwith report the same to any Justice of the Peace for the County to which such Prison belongs; and any such Justice may inquire upon Oath and determine concerning any such Offence so reported to him, and may order the Offender to be punished by solitary Confinement, on Bread and Water, for any Term not exceeding *One Calendar Month*, and a Report of every such Offence and the Decision thereupon shall be duly reported to the Board of Superintendence at the next Meeting.

Corporal Punishments. 28 & 29 Vict. c. 126. sch. 1. cl. 60.

65. All corporal Punishments within the Prison shall be attended by the Governor and the Medical Officer. The Medical Officer shall give such Orders for preventing Injury to Health as he may deem necessary, and it shall be the Duty of the Governor to carry them into effect, and the Governor shall enter in the Punishment Book the Hour at which the Punishment is inflicted, the Number of Lashes, and any Orders which the Medical Officer may have given on the Subject.

Prisoners under Sentence of Death.

Prisoners under Sentence of Death. 28 & 29 Vict. c. 126. sch. 1. cl. 66.

66. Every Prisoner under Warrant or Order for Execution shall, immediately on his Arrival in the Prison after Sentence, be searched by or by the the Orders of the Governor, and all Articles shall be taken from him which the Governor deems dangerous or inexpedient to leave in his Possession. He shall be confined in a Cell apart from all other Prisoners, and shall be placed by Day and by Night under the constant Charge of an Officer. He shall be allowed such a Dietary and Amount of Exercise as the Governor with the Approval of the Board may direct. The Chaplain of his Persuasion shall have free Access to him. With the above Exceptions no Person, not being a Member of the Board or an Officer of the Prison, shall have Access to the Prisoner except in pursuance of an Order from a Member of the Board. During the Preparation for an Execution, and the Time of the Execution, no Person shall enter the Prison who is not legally entitled to do so, unless in pursuance of an Order in Writing from Two or more Members of the Board.

Prison Officers.

Duties of subordinate Officers. 28 & 29 Vict. c. 126. sch. 1. cl. 93.

67. All Officers of the Prison other than the Chaplains, Medical Officer, Local Inspector, and Governor shall be subordinate Officers, and shall, subject to

to the Regulations of this Act, obey the Directions of the Governor, and perform all such Duties as may be directed by the Governor, with the Sanction of the Board. The Duties of each subordinate Officer shall be inserted in a Book to be kept by him.

Not to be absent without Leave. Ib. cl. 94.

68. Subordinate Officers shall not be absent from the Prison without Leave from the Governor, and before absenting themselves they shall leave their Keys, Instruction Book, and Report Book in the Gaoler's Office.

Not to receive Visitors without Leave. Ib. cl. 95.

69. Subordinate Officers shall not be permitted to receive any Visitors within the Prison without Permission of the Governor.

To examine Cells, Locks, &c. Ib. cl. 96.

70. All subordinate Officers shall frequently examine the State of the Cells, Bedding, Locks, Bolts, &c., and shall report forthwith any Deficiency therein to the Governor, and shall seize all prohibited Articles, and deliver them to the Gaoler forthwith.

Regulation as to Employment of Prisoners in Prison Offices. 28 & 29 Vict. c. 126. sch. 1. cl. 62.

71. No Prisoner shall be employed as Turnkey, Assistant Turnkey, Wardsman, Yardsman, Overseer, Monitor, or Schoolmaster, or in the Discipline of the Prison, or in the Service of any Officer thereof, or in the Service or Instruction of any other Prisoner. But this Regulation shall not be taken to prevent the Employment of any Debtor in that Part of the Prison in which he may be lawfully confined in any Manner in which he may be willing to be employed, and which is consistent with his safe Custody.

Prison Officers to be Peace Officers. Ib. cl. 63.

72. Every Prison Officer, while acting as such, shall by virtue of his Appointment, and without being sworn in before any Justice, be deemed to be a Peace Officer, and to have all such Powers, Authorities, Protection, and Privileges for the Purpose of the Execution of his Duty as a Prison Officer as any Peace Officer duly appointed has by Common Law, Statute, or Custom, and shall take such Oaths as are required by Law to be taken by Constables.

Officers not to sell or let to Prisoners. Ib. cl. 64.

73. No Officer of a Prison shall sell or let to, nor shall any Person in trust for or employed by him sell or let to, or derive any Benefit from the selling or letting of any Article to any Prisoner.

74. No Officer, except the Chaplains, Medical Officer, and Local Inspector, shall follow any Trade, Profession, or Occupation whatever other than that of Officer.

Officers not to contract with Prisoners. Ib. cl. 65.

75. No Officer of a Prison shall, nor shall any Person in trust for or employed by him, have any Interest, direct or indirect, in any Contract for the Supply of the Prison.

Officers not to take Gratuities. Ib. cl. 66.

76. No Officer of a Prison shall at any Time receive Money, Fee, or Gratuity of any kind for the Admission of any Visitors to the Prison or to Prisoners, or from or on behalf of any Prisoner, on any Pretext whatever.

Local Inspector.

Duties of Local Inspector.

77. The Local Inspector shall be the principal Officer of the Prison, and shall perform the Duties attached to his Office by this Act, or by any lawful Authority. He shall make all Entries, Returns, and Reports hereby or by such lawful Authority required of him, and shall conduct all Correspondence between

between the Board and the Inspectors-General, the Chief and Under Secretaries.

78. He shall, under the Direction of the Board, regulate the providing of Food and other Necessaries for the Prisoners. To regulate Supply of Food.

79. The Local Inspector shall visit every Prison under his Inspection *twice* at least in every Week; at each Visit he shall go into every Cell and Room in the Prison, and if any Complaint shall be made by any of the Prisoners therein against any of the Officers, or by any of such Officers against each other, he shall immediately inquire into the Particulars of such Complaint, and if the same shall appear to be well founded he shall report accordingly to the Board, and shall after any Meeting of the Board at which such Complaint shall be considered forthwith report to the Inspectors-General of Prisons the Decision of such Board upon such Complaint; and he shall report specially, on Oath, the State of every Prison and Bridewell under his Inspection respectively to the Judge of Assize at each Assizes. Local Inspectors to visit Prisons. 7 G. 4. c. 74. s. 109. cl. 13. 19 & 20 Vict. c. 68. s. 30.

80. In such last-mentioned Report the Local Inspector shall state how far the several Directions contained in this Act have been observed and executed, and particularly whether the Prisoners have been supplied with the Food, Clothing, and Bedding prescribed by this Act; and he shall forthwith report to the Inspectors-General of Prisons when any Officer of any Prison or Bridewell under his Inspection has died, or has been removed or dismissed, or has resigned, and shall specify in such Reports the Name of such Person (if any) who shall have been appointed in place of such Officer, with the Date of his or her Appointment, and shall also report when any Prisoner has died, together with the Cause of Death, and also the Names of all Prisoners who in such Prison or Bridewell shall have been discharged before the Expiration of their original Sentence, or removed therefrom by any competent Authority since the Date of his last Report; and such Local Inspector shall, *once* at least in each Quarter of a Year, or oftener if Occasion shall arise, report to the said Inspectors-General whether any epidemic Disease has appeared in any Prison or Bridewell under his Inspection, and whether any Mutiny, Riot, or Escape, or Attempt to escape, has taken place therein or therefrom, and also whether any Prisoner therein has, according to his own Desire, changed his religious Profession; and the said Local Inspector shall add to his said Report any Observations that may occur to him respecting the general Health, Discipline, or Order of the said Prison or Bridewell, the Conduct of the Officers, and the correct keeping of the several Books and Forms directed to be kept by this Act or by the Lord Lieutenant. Reports, how to be prepared. 7 G. 4. c. 74, s. 109. cl. 24. 19 & 20 Vict. c. 68. s. 30.

81. The Local Inspector shall, in accordance with a Form to be furnished to him by the Inspectors-General of Prisons, prepare an annual Return of all the Prisoners brought to Trial within the Year preceding such Return in or for the County to which he belongs, at any Assizes, or Special or General Commission of Oyer and Terminer or General Gaol Delivery, or at Quarter Sessions, and he shall in such Return specify the particular Crime of which such Prisoner was accused, and the Sentence of the Judge (if any) at such Trial, and whether such Sentence has been executed, or whether the whole or any Part thereof has been remitted; and he shall transmit such Return to the Inspectors-General of Prisons within *Thirty* Days after the First Day of January Annual Return of Prisoners tried, &c. to be furnished by the Local Inspector. 7 G. 4. c. 74. s. 67.

January in each Year, transmitting therewith the original Returns from which such Return is made.

Clerk of the Crown and Peace to furnish Reports to Local Inspector.

82. For the Purpose of enabling the Local Inspector to make the Return required by the last Section, the Clerk of the Crown and Clerk of the Peace, as the Case may be, shall at each such Assizes, and General or Special Commission, and Quarter Sessions, furnish to such Local Inspector a complete Schedule of the Prisoners brought to Trial at the same respectively, specifying also in such Schedule the several Particulars in relation to such Prisoners required by the last Section to be specified in such Return of the Local Inspector.

Grand Juries to present for travelling Expenses of Local Inspector. 7 G. 4. c. 74. s. 66.

83. The Local Inspector shall reside at a reasonable Distance from the County Prison to which he belongs, and the Board shall appoint a reasonable Sum to be paid to him in addition to his regular Salary for his necessary Travelling Expenses in relation to his Duties as Local Inspector of Bridewells, which Sum shall be deemed necessary Expenses of such County Prison. The Local Inspector shall have Power, of his own Authority, to suspend the Governor of the Prison until the next Meeting of the Board. In such Case he shall forthwith cause a Meeting of the Board to be summoned, and the Deputy Governor shall perform the Duties of Governor until such Meeting.

Chaplains.

Duties of Chaplain.

84. Every Chaplain shall carry into effect the Provisions for the religious Instruction of Prisoners herein-before provided, and shall perform such Duties as are hereby or shall from Time to Time be assigned to him by lawful Authority.

Chaplain shall keep a Journal. 19 & 20 Vict. c. 68. s. 11. 7 G. 4. c. 74. s. 69.

85. Every Chaplain shall keep a Journal in which he shall enter a Memorandum of each Visit made by him in the Discharge of his Duty, with any Observations which may occur to him in relation thereto; and he shall cause such Journal to be laid before the Board at each Meeting thereof, and it shall be signed by the Chairman in proof of its having been so produced.

To report Abuses to Board of Superintendence. 19 & 20 Vict. c. 68. s. 11.

86. Every Chaplain shall from Time to Time communicate to the Board any Abuse, Misconduct, Impropriety, or Irregularity which may at any Time come to his Knowledge in relation to such Prison, or any Officer or Prisoners belonging thereto.

Chaplains may visit Prisons at all Times.

87. The several Chaplains shall be at liberty to visit the Prison and any of the Prisoners under their Charge respectively, at any Time or Times, in addition to the regular Visits they are respectively directed hereby to make; provided that such Visits shall not interfere with the Discipline of the Prison.

Medical Officers.

Duties of Medical Officer. 7 G. 4. c. 47. s. 72.

88. Every Medical Officer shall discharge all the Duties attached to his Office by this Act, or by virtue of any competent Authority from Time to Time in force, and shall make all Entries, Returns, and Reports by any such competent Authority required of him. He shall at least twice in each Day inspect the Provisions supplied to the Prisoners, and report any Deficiency or Inferiority thereof which shall be observed to the Board in such Form as shall

shall be directed by the Lord Lieutenant. He shall see that no Prisoner under Punishment is subjected to such a Reduction of Diet as to tend to the Injury of Health. He may direct that Prisoners at Hard Labour be supplied with Flannel Shirts, and that Flannel and such other Articles as he may deem necessary in particular Cases be supplied to Prisoners; and he shall direct that each Prisoner take daily, in the open Air, as much Exercise as he shall deem necessary for Health. He shall give Directions in Writing for separating Prisoners having infectious Complaints, or being suspected thereof; for cleansing, disinfecting, and whitewashing any Apartments occupied by such Prisoners, and for washing, disinfecting, any infected Apparel or Bedding. He shall have Authority and he is required to have any Infant of any Prisoner duly vaccinated, whether the Parent of such Infant shall consent or not.

Visits of Medical Officer. Ib. 28 & 29 Vict. c. 126. sch. 1. cl. 86.

89. The Medical Officer shall visit the Prison at least twice in every Week, and oftener if necessary, and shall see every Prisoner in the course of the Week. He shall daily visit the Prisoners, if any, confined in Punishment Cells, and he shall visit daily, and oftener if necessary, sick Prisoners, and when necessary direct any Prisoner to be removed to the Infirmary.

Treatment of Prisoners. Ib. 7 G. 4. c. 74. s. 109. cl. 20.

90. He shall prescribe for all Prisoners who require to be prescribed for, and shall order such Treatment, Sustenance, or Medicine as may be necessary; and all Articles directed to be provided by such Prescriptions shall be provided by the Local Inspector, or in such Manner as the Board shall direct.

7 G. 4. c. 74. s. 109. cl. 20.

91. He shall examine every Prisoner who shall be brought into Prison before such Prisoners shall be passed into the proper Ward.

Occasionally to inspect every Part of Prison, &c. 28 & 29 Vict. c. 126. sch. 1. cl. 88.

92. The Medical Officer shall, once at least in every Three Months, inspect every Part of the Prison, and enter in his Journal the Result of each Inspection, recording therein any Observations he may think fit to make on any Want of Cleanliness, Drainage, Warmth, or Ventilation; any Insufficiency of Clothing or Bedding; any Deficiency in the Quantity or Defect in the Quality of the Water, or any other Cause which may affect the Health of the Prisoners.

To report special Cases. Ib., cl. 89.

93. Whenever the Medical Officer has Reason to believe that the Mind of a Prisoner is or is likely to be injuriously affected by the Discipline or Treatment, he shall report the Case in Writing to the Governor, together with such Directions as he may think proper; and he shall call the Attention of the Chaplain to any Prisoner who appears to require his special Notice.

To call in additional Medical Aid. Ib., cl. 90.

94. The Medical Officer may, in any Case of Danger or Difficulty which appears to him to require it, call in additional Medical Assistance; and no serious Operation shall be performed without a previous Consultation being held with another Medical Practitioner, except under Circumstances not admitting of Delay, such Circumstances to be recorded in his Journal.

To make Entries as to Death of Prisoner. 28 & 29 Vict. c. 126. sch. 1. cl. 91.

95. The Medical Officer shall forthwith on the Death of any Prisoner enter in his Journal the following Particulars; viz., at what Time the Deceased was taken ill, when the Illness was first communicated to the Medical Officer, the Nature of the Disease, when the Prisoner died, and an Account of the Appearances after Death (in Cases where a post mortem Examination is made), together with any special Remarks that appear to him to be required.

To appoint Substitute when absent. Ib., cl. 92.

96. In case of Sickness, necessary Engagement, or Leave of Absence to be given by the Board, the Medical Officer shall appoint a Substitute, approved of by the Board. The Name and Residence of the Substitute shall be entered in his Journal.

Medical Officers to keep a Journal. 7 G. 4. c. 74. s. 72.

97. Every Medical Officer shall keep a Journal, in which he shall enter the Date of every Attendance, with any Observations he may think proper to make in the Execution of his Duty, and shall sign the same with his Name; and such Journal shall be kept in the Prison, and shall be regularly laid before the Board at their Meetings, and shall be signed by the Chairman, in proof of its having been so produced.

To make daily Record respecting sick Prisoners. 28 & 29 Vict. c. 126. sch. 1. cl. 87.

98. The Medical Officer shall enter, in the English Language, Day by Day, in his Journal, to be kept in the Prison, an Account of the State of every sick Prisoner, the Name of his Disease, a Description of the Medicines and Diet, and any other Treatment which he may order for such Prisoner.

Duties of Apothecary. 7 G. 4. c. 4. ss. 73, 74.

99. If there shall be an Apothecary of the Prison, it shall be his Duty to execute the Orders of the Medical Officer; and such Apothecary shall, if required, provide all Medicines and other Articles necessary for the sick, and shall keep an Account, stating particularly the different Articles supplied; and it shall be lawful for the Board to appoint a reasonable Sum to be paid to such Apothecary for the Medicines so furnished, at a Price not exceeding the Rates authorized by the Governor and Directors of the Apothecaries Hall in Dublin, and they may also present a reasonable Sum to such Apothecary for his Attendance and Trouble in providing or preparing Medicines for the sick; and any such Sum so appointed by the Board for such Apothecary shall be deemed Part of the necessary Expenses of the Prison.

The Governor.

Governor, Qualifications of. 7 G. 4. c. 74. s. 109. cl. 2.

100. The Governor shall be of the Age of Thirty Years at the least. Provided always that in Prisons in which Females only are confined no Governor need be appointed. In such Cases the Matron shall have the Powers and perform the Duties of Governor.

101. The Governor shall reside permanently in the Prison; he shall not be an Under Sheriff or Bailiff, nor shall he follow any Trade, Profession, or Occupation whatever other than that of Governor.

Governor to give Security. 19 & 20 Vict. c. 68. s. 20.

102. The Governor, if appointed after the Commencement of this Act, shall, before entering on the Duties of his Office, give good and sufficient Security for the due and faithful Discharge of all the Duties of his Office so long as he shall continue Governor, and also for the Indemnification of any Sheriff against any Loss which such Sheriff may sustain by reason of the Escape of any Prisoner in the Charge of such Governor, or by reason of any Act, Neglect, or Default on his Part.

Security to be by Recognizance. 19 & 20 Vict. c. 68. s. 20.

103. Such Security shall be entered into in such an Amount as the Board shall determine, and shall be by Recognizance, with such sufficient Sureties as the Board shall approve of, before any Justice of the Peace of the County to which the Prison belongs, and any such Justice is hereby empowered to take the same; and such Recognizance shall be conditioned for the Discharge of Duties, and the Indemnification in the last Claim mentioned, and shall be transmitted

transmitted by the Justice to the Clerk of the Peace of such County, and by him retained.

Board of Superintendence may accept Security of Guarantee Society.

104. The Board may, if they think fit, accept as a Security for the Governor the Guarantee of any good and solvent Guarantee Society of the United Kingdom, in addition to or in substitution of such Security by Recognizance, partially or altogether.

Application of Monies recovered. Amount of Securities, how to be disposed. 19 & 20 Vict. c. 69. s. 21.

105. Any Monies recovered by virtue of any of the said Securities may be paid over to such Persons as have been damnified by the Act or Default of the Governor, or Breach of the Conditions thereof, in respect of which such Monies shall have been recoverable.

May be required to give additional Security. 19 & 20 Vict. c. 68. s. 20.

106. In the event of the Death, Bankruptcy, Insolvency, or Failure of any of the Sureties in any such Recognizance, or in case any such Surety shall permanently reside out of the Jurisdiction of the Court of Chancery and the Superior Courts of Common Law in Ireland, or in case of the Failure or Dissolution of any such Guarantee Association accepted as a Security for any such Governor as aforesaid, it shall be lawful for the Board, on the Application of the Sheriff or otherwise, at their Discretion, to order that such Governor shall give such additional Security in either of the Ways before mentioned, and in lieu of the Security so failing, as to the Board shall seem fit, and thereupon such Governor shall, within One Month from the Receipt of such Order, or at such other Time as the Board shall thereby direct, perfect such new Security accordingly; and any Governor who shall fail to comply with any Order lawfully made calling upon him to give any such Security, whether original or additional, as he shall be legally liable to give under the Provisions of this Act, shall thereupon cease to hold his Office. 19 & 20 Vict. c. 68. s. 20.

General Duties of Governor. 7 G. 4. c. 74. s. 109. cl. 1, 23.

107. The Governor shall discharge all the Duties attached to his Office by this Act, or by any competent Authority from Time to Time in force, and shall make all Reports, Returns, Entries, and Schedules hereby or by any such competent Authority required of him; he shall exercise a vigilant Superintendence at all Times over any Prison of which he shall be Governor; he shall be furnished with a Copy of this Act, and of all Byelaws and Regulations in force in relation to such Prison, and shall always take care that all the Regulations and Discipline in force with respect to such Prison from Time to Time shall be rigidly and minutely observed; he shall exercise a due Control over all the Turnkeys and resident Officers of such Prison, restricting them entirely to the Performance of their public Duties, and not permitting any of them to be employed in any menial or private Capacity, either for himself or for any Officer of the Prison, or for any Prisoner, and in all Cases of Misconduct or Neglect of Duty on their Part shall at once communicate with the Board or the Local Inspector in relation thereto.

May suspend subordinate Officers. 28 & 29 Vict. c. 126. sch. 1. cl. 70.

108. The Governor shall in case of Misconduct have Power to suspend any subordinate Officer, and shall report the Particulars without Delay to the Local Inspector and Board.

109. The Governor shall take all Precautions at all Times for the safe keeping of all the Prisoners in his Charge, and for a sufficient Patrol or Watch throughout the Prison during the Night.

He shall not be absent at Night without Permission.

110. The Governor shall not be absent from the Prison for a Night, without Permission in Writing, signed by the Local Inspector, or in case of the Illness or Absence of the Local Inspector, by Two Members of the Board; and a Note of such Permission, and the Names of the Members of the Board, if any, granting such Permission, shall be entered in his Journal; and if in any Case he shall be absent for a Night without such Permission, and from unavoidable Necessity, he shall enter the Fact and the Cause thereof in his Journal.

To visit each Cell each Day. 7 G. 4. c. 74.

111. The Governor shall, as far as may be practicable, visit every Prisoner and inspect every Cell once at least in every Twenty-four Hours, and he shall enter in his Journal the Hour of such Visit; and whenever he shall visit any Female Prisoner he shall be accompanied by the Matron, or in case of her unavoidable Absence, by some Female Officer of the Prison. The Governor shall be present at lock-up, and as far as may be practicable witness the locking in of each individual Prisoner in his Cell or Apartment, or his Deputy shall do so; and he shall further go his Rounds before the final locking-up of the Prison, and see that every Prisoner is in his Cell, and shall ascertain that the Locks, Bolts, and Bars on each Cell are properly fastened and secured.

Nightly Visits. 28 & 29 Vict. c. 126. sch. 1. cl. 71.

112. The Governor shall, at least once during each Week, go through the Prison at an uncertain Hour of the Night, which Visit, with the Hour and State of the Prison at the Time, he shall record in his Journal. The Governor shall inspect the Tell-tale Clocks, and shall report any Irregularity he may observe in the marking thereof to the Board. He shall direct that each Officer in charge of a Department or Ward of the Prison shall daily report to him in Writing the Condition of his Department or Ward. In all Cases of Emergency the Officer shall report verbally without Delay, subsequently making an Entry thereof in his Report Book. The Governor shall take every Precaution necessary for preventing Escape, and give Orders for the daily Examination of the Cells, Bars, Bolts, Locks, &c. He shall also adopt proper Precautions against Fire. He shall direct that the Prison shall be locked for the Night and the Keys of the outer Gate delivered to him at Ten o'Clock each Night, and he shall keep the Keys until the Hour of unlocking in the Morning.

To post up in Cells Abstract of certain Regulations. 28 & 29 Vict. c. 126. sch. 1. cl. 72.

113. The Governor shall cause an Abstract, to be approved by the Lord Lieutenant, of the Regulations relating to the Treatment and Conduct of Prisoners, with a Copy of the Prison Dietaries (printed in legible Characters), to be posted in each Cell, and shall read or cause the same to be read to every Prisoner who cannot read within Twenty-four Hours after his Admission.

To report to Medical Officer Prisoners disordered in Mind. Ib., cl. 73.

114. The Governor shall, without Delay, call the Attention of the Medical Officer to any Prisoner whose State of Mind or Body appears to require Attention, and shall carry into effect the Directions of the Medical Officer respecting Alterations of the Discipline or Treatment of any such Prisoner.

To notify to Chaplain and Medical Officer Prisoners requiring their Attention. Ib., cl. 74.

115. The Governor shall notify to the Medical Officer, without Delay, the Illness of any Prisoner, and shall deliver to him daily a List of such Prisoners as complain of Illness, or are removed to the Infirmary, or confined to their Cells by Illness, and he shall daily deliver to the Chaplains and Medical Officer Lists of such Prisoners as are confined in Punishment Cells.

116. Upon

116. Upon the Death of a Prisoner the Governor shall give immediate Notice thereof to the Coroner of the District to which the Prison belongs, and to the Local Inspector, as well as to the nearest Relative of the Deceased, where practicable. To give Notice of Death of Prisoners. Ib., cl. 75.

117. The Governor shall without Delay report to the Board of Superintendence any Case of Insanity or apparent Insanity occurring among the Prisoners. To report to the Board insane Prisoners. Ib., cl. 76.

118. The Governor shall be responsible for the Execution of every Sentence of Hard Labour within the Prison, and shall, previously to every Assizes and Commission, make out a true Return in Writing, and signed by him, in the Form No. 18. in the Second Schedule to this Act annexed, or in such other Form as may be approved by the Lord Lieutenant, of all Persons in his Custody who have been sentenced to any Description of Hard Labour, specifying the Manner in which such Sentences have been carried out, the particular Species of Labour in which such Prisoners have been employed, and the average Number of Hours in the Day for which Prisoners have been kept to work; and such Return shall be also signed by the Local Inspector, or by One Member at least of the Board, who shall add thereto such Observations as the Case and Circumstances may appear to him to require; and such Return shall be delivered to the Judge of Assize, and shall be kept and filed by the proper Officer amongst the Records of the Court. To have Sentences to Hard Labour carried out, and report at Assizes. 7 G. 4. c. 74. s. 108.

119. The Governor shall carry out the Provision for the Employment of Prisoners herein-before contained; and shall keep every convicted Prisoner under his Charge to work, of such Kind as the Board of Superintendence, subject to the Provisions in that Behalf herein-before contained, shall appoint, by an Order to be made; and an Account shall be kept by him of all Work performed by Prisoners, and of any Profit arising from the same. To keep Prisoners at work. 7 G. 4. c. 74. s. 104.

120. The Governor shall not let for Hire or Emolument to any Person any Room or Portion of any Prison, whether the Portion allotted to him for his own Residence or otherwise; he shall, as far as possible, take care that no Officer of the Prison shall receive any Money, Fee, or Gratuity for the Admission of any Visitors to the Prison or to the Prisoners; nor shall he have directly or indirectly any Interest in any Contract or Agreement for the Supply of the Prison or the Management or repairing of the same; nor shall he allow any Officer of the Prison to have any private Benefit or Advantage from the Sale or Letting of any Article. Governor not to let for Hire any Room, &c. of Prison.

121. The Governor shall allow Prisoners committed for Examination or Trial to send and receive Letters, unless the Local Inspector, Board of Superintendence, or committing Magistrate shall have issued an Order to the contrary, or unless he shall know a sufficient Cause why any such Letter should not be sent or received, in which latter Case he shall record the Fact in his Journal. He shall, under the same Restrictions, allow convicted Prisoners to send and receive One Letter in the course of each Quarter of a Year. He shall inspect every Letter to and from a Criminal Prisoner, except such Communications with the legal Adviser of such Prisoner as are mentioned in the Sixtieth Clause of this Schedule, and except Letters addressed to the Local Inspector or other proper Authority; and in every Case in which

which he shall deem it necessary to withhold a Letter either to or from a Prisoner, he shall record the Fact in his Journal, and shall without Delay lay such Letter before the Local Inspector for his Decision. He may also inspect any Letter to or from a Debtor when he has Reason to suspect that it refers to any Escape or Infringement of Discipline, and he shall make an Entry of each Instance of his so inspecting a Letter to a Debtor in his Journal, and he shall mark such Letter with his Initials.

To keep enumerated Books and Accounts. Bill, 105. 28 & 29 Vict. c. 126. sch. 1. cl. 77.

122. The Governor shall keep the following Records and Accounts:

(1.) A Journal in which he shall record all such Matters as he is directed to record therein by this Act, and all other Matters deserving of Observation, particularly such as relate to the healthy Discipline or Employment of the Prisoners, or to the Infringement of the Prison Rules. This Journal shall be laid before the Board, and signed by the Chairman at each Meeting.

(2.) A Punishment Book, in such Form as the Inspectors General shall direct, for the Entry of the Punishments inflicted for Prison Offences.

(3.) A nominal Record of all Prisoners committed to his Charge, in such Form as may be directed by the Board.

(4.) A Visitors Book for the Entry of any Observations made by Visitors to the Prison.

(5.) A Record of Articles taken from Prisoners.

(6.) A Record of the Employment of Prisoners sentenced to Hard Labour, and the Manner in which they have been so employed.

(7.) A List of Books and Documents committed to his Care.

(8.) An Inventory of all the Furniture and moveable Property belonging to the Prison.

(9.) An Account of all Prison Receipts and Disbursements.

To be responsible for safe Custody of Documents. 28 & 29 Vict. c. 126. sch. 1. cl. 78.

123. The Governor shall take charge of and be responsible for the safe Custody of the Journals, Registers, Books, Commitments, and all other Documents containing the Proceedings of the Board, and relating to the Administration of the Prison.

Deputy Governor.

In the Absence of Governor, or by Order of Board, to have Powers of Governor.

124. The Deputy Governor, in the Absence of the Governor, or whenever called upon to act by the Board, shall have the Powers and perform the Duties of Governor. The Deputy Governor may also hold any other subordinate Office in the Prison.

The Matron.

The Matron to reside in the Prison.

125. The Matron shall reside in the Prison, and in Prisons having a Male Governor she shall be deemed to be a subordinate Officer. In Prisons for Females only having no Male Governor the Matron shall possess the Powers and perform the Duties assigned to the Governor by this Act.

Duties of Matron.

126. She shall have the Care and Superintendence of the whole Female Department. The Wards, Cells, and Yards where Females are confined shall be

be secured by Locks different from those securing the Wards, Cells, and Yards allotted to Male Prisoners, and the Keys of those Locks shall be kept in the Custody of the Matron.

To inspect daily Female Prison. 28 & 29 Vict. c. 126. sch. 1. cl. 82.

127. The Matron shall so far as practicable visit and inspect every Part of the Prison occupied by Females, and see every Female Prisoner, once at least in every Twenty-four Hours, and in default of such daily Visits and Inspections she shall state in her Journal how far she has omitted them, and the Cause thereof. She shall, at least once during the Week, go through such Part of the Prison at an uncertain Hour of the Night, which Visit, with the Hour and State of such Part of the Prison at the Time, shall be recorded in her Journal, and she shall see that each Female Prisoner is properly locked up in her Cell each Night.

Not to be absent without Leave. Ib., cl. 83.

128. The Matron shall not be absent from the Prison for a Night without Permission in Writing from the Local Inspector, on the Recommendation of the Governor; and her Leave of Absence shall be entered in her Journal.

Admission to Female Department, Regulations.

129. No Male Officer (including the Governor) and no Visitor shall enter the Female Department unattended by the Matron or a Female Officer. The Matron shall be responsible for the Enforcement of this Clause.

Matron to keep a Journal.

130. The Matron shall keep a Journal, in which she shall enter all such Matters in the course of her Duty as shall appear to her deserving of Observation, and she shall sign the same with her Name, and such Journal shall be kept in the Prison, and laid before the Board.

To appoint Deputy when absent. 28 & 29 Vict. c. 126. sch. 1. cl. 84.

131. The Matron shall, with the Consent of the Governor, and with the Approval of the Board, appoint a Female Officer of the Prison to act as Deputy Matron whenever she is absent on Leave from the Prison, and during such Absence the Deputy Matron shall have all the Powers and Duties of the Matron. Before leaving the Prison the Matron shall personally give over the Charge of the Part of the Prison occupied by Females to the Deputy Matron.

Schoolmasters, Schoolmistresses, and Trades Instructors.

132. Schoolmasters, Schoolmistresses, and Trades Instructors shall give Instruction to the Prisoners in pursuance of the Provisions of this Act concerning the Instruction of Prisoners.

Gate Porter.

Duties of Gate Porter. 28 & 29 Vict. c. 126. sch. 1. cl. 97.

133. The Officer acting as Gate Porter may examine all Articles carried in or out of the Prison, and may stop any Person suspected of bringing in Spirits or other prohibited Articles into the Prison, or of carrying out any Property belonging to the Prison, giving immediate Notice thereof to the Governor.

134. The Officer acting as Gate Porter shall keep a Record of all Prisoners committed to and discharged from the Prison during the Time such Officer shall have been so acting. Such Record shall be in the Form No. 4. in the Second Schedule of this Act; and such Officer shall also keep the Gate Books and the Record of Visitors admitted to Prisoners in Forms Nos. 12, 13, and 14. in the Second Schedule to this Act.

SCHEDULE II.

Forms to be used in Prisons.

No. 1.—Discharge Book.

Date of Committal.	Page Reference.	Number.	Names.	Months.	Days.

No. 2.—STATE OF THE PRISON AT LOCKINGS on the of 186 .

Denomination or Number of each Class.	Number of Cells.	Number discharged.	Number committed.	Untried Prisoners.			Convicted Prisoners.										Debtors.			Gross Total.	In Solitary.	Signature of Officer in charge of each Class.
				For Trial.	For further Examination.	Total.	For Felony.	For Petty Larcenies.	Misdemeanants and Summary Convictions.	Under Revenue Laws.	Military Offences.	Vagrants.	Drunkards.	Lunatics.	Under Rule of Penal Servitude.	Total.	Master Debtors.	Pauper Debtors.	Total.			
No. 1.																						
2.																						
3.																						
4.																						
5.																						
Debtors																						
Lunatics																						
Hospital																						
Totals																						
Female Prison																						
Hospital																						
Grand Total																						

REPORT.

	M.	F.
On Evening Duty,	Committed after Lockings - -	
On Night Duty,	Discharged do. - -	

No. 3. *Gaol of*_____. STATE of the PRISON, DIETARY, and

STATE OF THE PRISON. Classification.	Confined in the Morning. Males.	Confined in the Morning. Females.	Discharged. Males.	Discharged. Females.	Committed. Males.	Committed. Females.	Total confined at Night.
No. 1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
Kitchen, 11.							
Laundry, 12.							
Hospital, 13.							
Lunatics, 14.							
Debtors, 15.							
Totals							
Discharged before Breakfast							
Committed before Breakfast							
For Breakfast							
Discharged before Dinner							
Committed before Dinner							
For Dinner							

DIETARY.	Male Prisoners.	Female Prisoners.	Oatmeal. lbs.	Oatmeal. oz.	Indian Meal. lbs.	Indian Meal. oz.
Breakfast. On full Allowance						
Breakfast. On Third-class Allowance						
Breakfast. On Bread and Water						
Breakfast. On Diet ordered by Medical Officer out of Hospital						
Breakfast. In Hospital, as per Docket						
Breakfast. Not on Prison Diet						
Total						
Dinner. On full Allowance, with Milk						
Dinner. On full Allowance, with Gruel						
Dinner. On Third-class Allowance						
Dinner. On Bread and Water						
Dinner. On Diet ordered by Medical Officer out of Hospital						
Dinner. In Hospital, as per Docket						
Dinner. Not on Prison Diet						
Total						
Extras. Lunatics						
Extras. Third-class Prisoners						
Extras. On Diet ordered by Medical Officer out of Hospital						
Extras. Committed and fed after Dinner						
Extras. Children not Prisoners						
Extras. Prisoners employed at exhausting Labour, by order of Medical Officer						
Officers						

ABSTRACT.	Oatmeal. cwts.	Oatmeal. qrs.	Oatmeal. lbs.	Oatmeal. oz.	Indian Meal. cwts.	Indian Meal. qrs.	Indian Meal. lbs.	Indian Meal. oz.	Rice. cwts.	Rice. qrs	Rice. lbs.	Rice. oz.	Brown Bread. lbs.	Brown Bread. oz.	White Bread. lbs.	White Bread. oz.	Rye or Barley Bread. lbs.	Rye or Barley Bread. oz.
Issue																		
Brought forward																		
Total																		

SUPPLIES ISSUED on the Day of 186 .

PROVISIONS ISSUED.													FUEL.		SUPPLIES.			REMARKS.
Rice.		Brown Bread.		White Bread.		Rye or Barley Bread.		Potatoes.	New Milk.	Buttermilk.	Meat.	Salt.	Sea Coal.	Stone Coal.	Soap.	Candles.	Straw.	
lbs.	oz.	lbs.	oz.	lbs.	oz.	lbs.	oz.	lbs.	pints.	pints.	lbs.	stns.	stns.	stns.	lbs.	lbs.	cwts.	

Potatoes.			New Milk.			Buttermilk.			Beef.	Mutton.	Salt.	Sea Coal.			Stone Coal.			Soap.	Candles.	Straw.
cwts.	qrs.	lbs.	galls.	qrts	pts.	galls.	qrts	pts.	stns.	lbs.	stns.	tons.	cwts.	stns.	tons.	cwts.	stns.	lbs.	lbs.	cwts.

No. 4. GATE KEEPER'S RECORD of PRISONERS DISCHARGED.

DATE. 186 .	NUMBER DISCHARGED.				FINES PAID.			OBSERVATIONS.
	Hour.	Males.	Fe-males.	Total.	£	*s.*	*d.*	
	H. M.							

GATE KEEPER'S RECORD of PRISONERS COMMITTED.

DATE. 186 .	NUMBER COMMITTED.				OBSERVATIONS.
	Hour.	Males.	Fe-males.	Total.	
	H. M.				

No. 5.—Dietary Check Ticket Book.

186 .

For Breakfast.	Males.	Females.
On full Allowance - -		
„ 3d Class ditto - -		
„ Bread and Water -		
„ Medical Diet - -		
In Hospital - - -		

186 .

Prisoners for Breakfast.	Males.	Females.
On full Allowance - -		
„ 3d Class ditto - -		
„ Bread and Water -		
„ Medical Diet - -		
In Hospital - -		

186 .

For Dinner.	Males.	Females.
On full Allowanee with Milk		
„ Ditto with Gruel		
„ 3d Class Allowance -		
„ Bread and Water -		
„ Medical Diet - -		
In Hospital - -		
Lunatics - - -		

186 .

Prisoners for Dinner.	Males.	Females.
On full Allowance with Milk		
„ Ditto with Gruel		
„ 3d Class Allowance -		
„ Bread and Water -		
„ Medical Diet - -		
In Hospital - -		
Lunatics - - -		

No. 6.—Registry of _____ Juveniles at and under 16 Years of Age.

	Name.
	Age.
	Offence.
	Sentence.
	Date of Sentence.
	Re-committals in current Year.
	Total Committals since first known.
	Religion.
	State of Education. Alphabet.
	State of Education. Spelling.
	State of Education. Reading.
	State of Education. Writing.
	State of Education. Arithmetic.
	If he has been in Workhouse.
	If Parents, or either of them, are in Workhouse.
	If Parents, or either of them, are or have been in Gaol.
	With both Parents.
	Without Parents.
	Abandoned by Parents.
	Absconded from Parents.
	Without Father.
	Without Mother.
	Step-Child.
	Illegitimate.
	If usually resident within the County.

No. 7.—Registry of Prison School for the Year 186 .

State of Prisoners Education on Entrance, with Dates of Progress, &c.

No.	Names.	Age.	Date of Entrance.	Wholly illiterate.	Alphabet.	Spelling.	Reading Books.						Writing.	Arithmetic.		Grammar.	Geography.	Miscellaneous Progress.	Too old, or otherwise prevented.	Date of Discharge.	Time at School.	Remarks.
							1st.	2d.	Sequel to 2d Book.	3d	4th.			First Rules.	Simple Proportion.							

[207.] L 4

No. 8.—Work Ledger,_____Gaol. Week commencing_____ Day of_____, ending_____ Day of_____ 186 .

Prisoner's Name.	Denomination of Labour.						Weekly Amount of Work done.	Value of Weekly Earnings.		
	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.		£	s.	d.

No. 9.—Morning State of _____ Gaol on the _____ Day of _____ 186 .

Class.	Denomination.	Males.										Females.									
		No. in Class.	Age.		Religion.			Committed.	Discharged.	In Hospital.	No. in Class.	Age.		Religion.			Committed.	Discharged.	In Hospital.	Children not Prisoners.
			Above 16 Years.	Not exceeding 16 Years.	Protestant.	Presbyterian.	Roman Catholic.					Above 16 Years.	Not exceeding 16 Years.	Protestant.	Presbyterian.	Roman Catholic.				
Debtors	Master and Mistress																			
	Pauper do.																			
Convicts	Penal Servitude																			
	Felons																			
	Misdemeanants																			
	Vagrants																			
	Drunkards																			
Tried	Under Larceny Act																			
	Summary Convictions																			
	Workhouse Prisoners																			
	Revenue Laws																			
	Soldiers																			
Untried	Assizes or Commission—																			
	Felons																			
	Misdemeanants																			
	Sessions—																			
	Felons																			
	Misdemeanants																			
	Further Examination																			
	Soldiers																			
Lunatics	Lunatics																			
	Total																			

Males in Gaol
Females in Gaol } Gross Total.

Males under Sentence of Hard Labour
Females, ditto

Died this Day { Males, Females,
Fever Cases this Day { Males, Females,

No. 10.—Daily Report of Prisoners sick in Hospital.

Intern Patients.

Date.	Names of Patients.	Disease.	Date of Admission.	Date of Discharge.	Diet and any other Medical Orders.

No. 11.—Daily Report of Prisoners on Extra and Change of Diet, as prescribed by the Doctor.

Extern Patients, or Prisoners employed at exhausting Labour.

Date.	Name.	Class.	Diet.	Date of Order, and how long to continue.*

* All such Orders to require Renewal at the Expiration of Seven Days.

No. 12.—Intern Officers Gate Book.

Date.	Name of Officer.	Went out.		Returned.		Remarks.
		H.	M.	H.	M.	

No. 13.—Extern Officers Gate Book.

Date.	Names.	Came in.		Went out.		Signature.
		H.	M.	H.	M.	
		10	40	12	15	

No. 14.—Record of Visitors admitted to Prisoners.

Date.	Prisoner's Name.	Visitor's Name.	By whose Authority.

No. 15.—Inspection of Provisions Book.*

Date.	Chaplain's Signature.	Bread.	Milk.	Stirabout.	Gruel.	Potatoes.	Soup.

* The Chaplain is requested to state his Opinion of the Quality of each Item of Diet.

No. 16.—Quarterly Return from Bridewells for Inspectors-General.

_____ County.

_____ Bridewell.

Return for Quarter ending_____186__ .

	Males.	Females.	Males and Females.
Number of Prisoners confined			
Of whom were Drunkards			
Number supported at public Expense			
Number of Meals actually issued			

	£	s.	d.
Cost of such Meals			
Cost of Straw, Candles, Fuel, &c.			
Cost of incidental Expenses			
Total			

Cost of Dietary per Head per Day

Keeper's Salary per Annum £

Dated this_____Day of_____186__.

*Signature of Keeper*_____.

To the Inspectors-General of Prisons, Dublin Castle.

No 17.—Bridewell Register.

No.	Prisoners Names.	Crime.	By whom lodged in Bridewell.	At what Date and Hour.	By what written Authority and of what Date.	Whether remaining in Bridewell.	Whether removed from Bridewell, and by whom.	At what Date and Hour.	By what Authority, and of what Date.	How disposed of.	No. of Nights confined.	No of Meals actually issued to those supported at Public Expense.	Amount paid for Subsistence at the Rate of per Head. £	s.	d.	Observations.

No. 18. PRISON OF ---- ASSIZES 18 .

RETURN OF PRISONERS EMPLOYED AT HARD LABOUR.

No.	Name of Prisoner.	Nature of Sentence.	Period to which sentenced.	Name of Judge.	Tread Wheel.	Average Number of Hours per Day.	Average Number of Feet Ascent per Day.	Other Species of Labour.	Average Number of Hours per Day.	OBSERVATIONS.
										Member of Board of Superintendence.
										Local Inspector.
										Governor of the Gaol.

No. 19.—Annual Inspection Return of Bedding, &c.

Return of Articles required by Inspector-General.

	Prison.	
	Males.	Females.
Average Number of Prisoners		
Highest Number of Prisoners at any One Time during the past Year		

BEDDING.

	In Use and Store.	Deficient.
Blankets, Pairs		
Sheets do.		
Rugs		
Hammocks		
Cots		
Bed-ticks		
Iron and Wooden Bedsteads		

CLOTHING.

For Males.	In Use and Store	Deficient.	For Females.	In Use and Store.	Deficient.
Shirts			Shifts		
Jackets			Jackets		
Vests			Petticoats		
Trousers			Aprons		
Caps			Neckerchiefs		
Stockings			Caps		
Shoes			Stockings		
			Shoes		

I, Inspector-General of Prisons, do certify, That I have inspected the Bedding, Clothing, and Furniture in the Prison of , and that the following Articles appear to be deficient, viz., Blankets, Sheets, Rugs, Hammocks, Cots, Bed-ticks, Bedsteads; and of Prison Dresses for Males, Shirts, Jackets, Vests, Trousers, Caps, Stockings, Shoes; and for Females, Shifts, Jackets, Petticoats, Aprons, Kneckerchiefs, Caps, Stockings, Shoes; I do therefore direct the Local Inspector of the said Prison to provide such deficient Articles at reasonable Prices, and to furnish an Account of the Expense to the Collector of Inland Revenue at , pursuant to the Provisions of "The Prisons Act (Ireland) 1866."

(Signed)

Inspector-General of Prisons.

Return of Articles supplied by Local Inspector.

No. 20.—Annual Return of Articles supplied for Prisons, as ordered by the Inspector-General of Prisons.

BEDDING.

———	In Use and Store.	Deficient.
Blankets, Pairs		
Sheets do.		
Rugs		
Hammocks		
Cots		
Bed-ticks		
Iron and Wooden Bedsteads		

CLOTHING.

For Males.	In Use and Store.	Deficient.	For Females.	In Use and Store.	Deficient.
Shirts			Shifts		
Jackets			Jackets		
Vests			Petticoats		
Trousers			Aprons		
Caps			Neckerchiefs		
Stockings			Caps		
Shoes			Stockings		
			Shoes		

A.B., Local Inspector of the Prison at , came before me this Day, and made Oath, That the Articles above stated are a true Account of Articles ordered by the Inspector-General of Prisons for the Use of the said Prison, pursuant to the Provisions of "The Prisons Act (Ireland), 1866," and that the same were furnished on the best practicable Terms, and are charged at Cost Prices; and that no Profit is made on the Purchase thereof by him or by any other Person for his Use.

Sworn before me, this Day of .

Collector of Inland Revenue.

No. 21.—Quarterly Return of Prisoners in Bridewell, for the Quarter ending

No.	Prisoners Names.	Crime.	By whom lodged in Bridewell.	At what Date and Hour.	By what written Authority, and of what Date.	Whether remaining in Bridewell.	Whether removed from Bridewell, and by whom.	At what Date and Hour.	By what Authority, and of what Date.	How disposed of.	No. of Nights confined.	No. of Meals actually issued to those supported at Public Expense.	Amount paid for Subsistence at the Rate of_____ per Head. £	s.	d.	Observations.

SCHEDULE III.

Of Acts and Part of Acts to be repealed.

Date of Act.	Title.	Extent of Repeal.
56 G. 3. c. 120. -	An Act to procure annual Returns of Persons committed, tried, and convicted for Criminal Offences and Misdemeanors in Ireland.	The whole Act.
1 & 2 G. 4. c. 77. -	An Act to abolish the Payment by Prisoners in Ireland of Gaol Fees and all other Fees relating to the Commitment, Continuance, Trial, or Discharge of such Prisoners, and to prevent Abuses by Gaolers, Bailiffs, and other Officers.	The whole Act.
7 G. 4. c. 74. -	An Act for consolidating and amending the Laws relating to Prisons in Ireland.	The whole Act.
3 & 4 W. 4. c. 92.	An Act to explain and amend the Provisions of certain Acts for the erecting and establishing public Infirmaries, Hospitals, and Dispensaries in Ireland.	So much of Sect. 6. as provides for Grand Juries appointing Medical Officers of Gaols not being within Five Miles of the County Infirmary.
6 & 7 W. 4. c. 51.	An Act for converting the Richmond General Penitentiary into One of the Prisons for the County of the City of Dublin, and to amend the Laws relating to Prisons in Ireland.	The whole Act.
6 & 7 W. 4. c. 116.	An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland.	Sections 124 & 125.
1 Vict. c. 6. -	An Act to regulate the Expenses of conveying Prisoners in Ireland.	The whole Act.
1 & 2 Vict. c. 51. -	An Act to amend the Laws relating to the levying of the Grand Jury Cess in Ireland.	Section 9.
1 & 2 Vict. c. 116.	An Act to facilitate Advances out of County Monies for the Support of County Gaols and Institutions in Ireland.	So far as it relates to County Prisons and Bridewells.
3 & 4 Vict. c. 44. -	An Act to amend an Act of the Seventh Year of King George the Fourth, for consolidating and amending the Laws relating to Prisons in Ireland.	The whole Act.
3 & 4 Vict. c. 109.	An Act to annex certain Parts of certain Counties of Cities to adjoining Counties; to make further Provision for Compensation of Officers in Boroughs; to limit the Borough Rate; and to continue for a limited Time an Act to restrain the Alienation of Corporate Property in Ireland.	Sections 8 and 9.

Date of Act.	Title.	Extent of Repeal.
3 & 4 Vict. c. 53.	An Act for vacating any Presentment for rebuilding the Gaol of Newgate in Dublin, and vacating any Contract between the Commissioners for rebuilding the said Gaol and Contractor.	The whole Act.
5 Vict. c. 6.	An Act for amending an Act of Her present Majesty, for vacating any Presentment for rebuilding the Gaol of Newgate in Dublin, and vacating any Contract between the Commissioners for rebuilding the said Gaol and Contractor.	The whole Act.
5 & 6 Vict. c. 95.	An Act for consolidating the Four Courts Marshalsea, Dublin, Sheriff's Prison, Dublin, and City Marshalsea, Dublin, and for regulating the Four Courts Marshalsea in Ireland.	The whole Act.
7 & 8 Vict. c. 106.	An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of the City of Dublin.	Section 3.
9 & 10 Vict. c. 61.	An Act to amend an Act of the Seventh Year of King George the Fourth, for consolidating and amending the Laws relating to Prisons in Ireland.	The whole Act.
10 & 11 Vict. c. 45.	An Act to authorize for One Year, and to the End of the then next Session of Parliament, the Removal of Prisoners from the County Gaols in Ireland in case of epidemic Diseases.	The whole Act.
12 Vict. c. 19.	An Act to make perpetual an Act of the Tenth and Eleventh Years of Her present Majesty, for authorizing the Removal of Prisoners from the County Gaols in Ireland in case of epidemic Diseases.	The whole Act.
12 & 13 Vict. c. 55.	An Act to abolish the Gaol of Newgate in the County of the City of Dublin, and provide Compensation for the Officers thereof, and to enable the Grand Jury of the County of the City to increase the Salaries of the Chaplains of certain other Gaols thereof, and to re-assess on the County of the said City certain Arrears of Grand Jury Cess.	The whole Act.
12 & 13 Vict. c. 97.	The Dublin Improvement Act, 1849	Section 51.
17 & 18 Vict. c. 115.	An Act to amend the Law relative to the Removal of Prisoners in Custody.	So far as relates to Ireland.
19 & 20 Vict. c. 68.	An Act to further amend the Laws relating to Prisons in Ireland.	The whole Act.
24 & 25 Vict. c. 49.	Petty Sessions, Ireland, Amendment Act, 1861.	The whole Act.
26 & 27 Vict. c. 66.	An Act to amend the Law relating to Prisons in Ireland.	The whole Act.

Prisons (Ireland).

A

B I L L

To consolidate and amend the Law relating to Prisons in Ireland.

(*Prepared and brought in by Mr. Chichester Fortescue and Mr. Attorney General for Ireland*).

Ordered, by The House of Commons, *to be Printed*, 5 *July* 1866.

[Bill 207.]

Under 14 *oz.*

A

B I L L

TO

Extend the Law relating to the Expenses of Prosecutions, and to make Provision for Expenses on Charges of Felony and certain Misdemeanors before examining Magistrates.

Preamble. 7 G. 4. c. 64. 14 & 15 Vict. c. 55.

WHEREAS by the Act of the Seventh Year of King George the Fourth, Chapter Sixty-four, certain Provisions were made relating to the Allowance of Costs, Expenses, and Compensation to Prosecutors and Witnesses in Cases of Prosecutions for Felonies and certain Misdemeanors therein mentioned, and by an Act of the Session of the Fourteenth and Fifteenth Year of Her Majesty, Chapter Fifty-five, the Provisions of the said Act are extended, and Authority is given to One of Her Majesty's Secretaries of State to regulate the Scale of Payment to be allowed or ordered under the said Act or any other Act, as to the Rates or Scales of Payment according to which Certificates may be granted by the examining Magistrate or Magistrates in respect of the Expense of any Prosecutor or Witnesses attending before such Magistrate or Magistrates:

 And

And whereas it is expedient to extend the Law relating to Expenses in Cases of Prosecutions to the Payment of Expenses incurred in attending before an examining Magistrate or Magistrates, and to Compensation for Trouble and Loss of Time therein, on any Charge of Felony bonâ fide made, and on any Case of the several Classes of Misdemeanor enumerated in Section Twenty-three of the said Act of King George the Fourth, or of Section Two of the said Act of Her Majesty, bonâ fide preferred, although the Parties may not be bound over by Recognizance or Subpœna to prosecute or give Evidence, and although no Committal for Trial may take place:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of examining Magistrate to grant Certificate of Expenses to Prosecutor and Witnesses extended, and Petty Session Clerks to be entitled to Fees on Depositions.

1. That it shall and may be lawful for any Magistrate or Magistrates, at his or their Discretion, and he or they is and are hereby authorized and empowered, at the Request of any Prosecutor or other Person who shall have appeared before such Magistrate or Magistrates, either by Summons or otherwise, on a Charge of Felony, bonâ fide made upon reasonable and probable Cause, or on a Charge in any Case of the several Misdemeanors enumerated in Section Twenty-three of the said Act of King George the Fourth, and of Section Two of the said Act of Her Majesty, bonâ fide preferred, and who shall have been examined on such Charge of Felony and Misdemeanor, to grant a Certificate of the Expenses and of the Amount to be allowed for Trouble and Loss of Time to the Prosecutor and Witnesses so appearing and examined on such Charge of Felony or Misdemeanor, in the same Manner and to the same or like Extent as Magistrates are authorized by Law to do in Cases of Felony and in Cases of Misdemeanor enumerated in the said Acts, where a Committal for Trial takes place or the Parties are bound over by Recognizance or Subpœna to prosecute and give Evidence; and it shall also be lawful for such examining Magistrate or Magistrates to allow to the Clerk of the Magistrates acting for the Petty Sessional Division or District (except where such Clerk is paid by Salary in lieu of Fees) the same Fees on taking the Depositions on such Charge or Charges as would be allowed to him, or he would be entitled to at Law, in the event of a Committal for Trial taking place, and to include such Allowance of Fees in the Certificate.

Declaration by Magistrate to be annexed to

2. That every examining Magistrate, signing or granting such Certificate, shall sign also a Declaration, to be annexed thereto, that in his or their Judgment the Charge or Charges on which such

such Certificate had been granted was or were bonâ fide made or preferred upon reasonable and probable Cause, or had been directed to be preferred by One or more Magistrates acting for the Petty Sessional Division or District in which such Charge was heard; and such Declaration and Certificate shall be forwarded to the Clerk of the Peace of the County, Riding, Division, City, or Borough within which such Petty Sessional Division or District is situate, to be laid by him before the Chairman of the next Quarter Sessions of the Peace for such County, Riding, Division, City, or Borough; and such Chairman shall be at liberty to allow the Amount or so much of the Amount named in the Certificate as shall be ascertained and certified by the proper Officer of the Court of Quarter Sessions as correct, in accordance with the Scale of Payment fixed or to be from Time to Time fixed under Section Five of the Act of Her Majesty before referred to, and thereupon to sign an Order for Payment on the Treasurer or other Officer of the County, Riding, or Division, or City, Liberty, or Franchise, in which the Offence shall have been committed or supposed to have been committed, in the same Manner as an Order for Payment would have been made in case the Parties had been bound over to prosecute, and an Indictment had been preferred, and such Treasurer or other Officer shall pay the Amount of such Order to the Person or Persons named therein.

Certificate, and laid before Chairman of Quarter Sessions, who may allow Amount wholly or partially, and make Orders for Payment.

3. This Act shall not extend to Ireland or Scotland.

Application of Act.

Prosecution Expenses.

A

B I L L

To extend the Law relating to the Expenses of Prosecutions, and to make Provision for Expenses on Charges of Felony and certain Misdemeanors before examining Magistrates.

(*Prepared and brought in by Mr. Goldney and Mr. Goddard.*)

Ordered, by The House of Commons, *to be Printed*, 20 *February* 1866.

[Bill 28.]

Under 1 *oz.*

A

B I L L

TO

Alter and improve the Law relating to voting in Public Companies.

WHEREAS it is expedient that greater Facilities should be afforded to Shareholders in Joint Stock Companies incorporated by special Act of Parliament, and regulated by the Provisions of the "Companies Clauses Consolidation Act, 1845," for voting at Public Meetings of such Companies: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for any Shareholder in any such Company, in lieu of voting in Person or by Proxy, to nominate any other duly qualified Shareholder of the Company to deliver for him at any Meeting of the Company, or at the Poll, a Voting Paper, according to the Form or to the Effect prescribed in the Schedule to this Act annexed, containing the Vote or Votes to which he may be entitled. Such nominated Shareholder shall be duly authorized and required to deliver such Voting Paper at the Meeting or at the Poll, and such Voting Paper so delivered Manner of voting.

shall be received by the proper Officers of the Company, as containing and tendering the Vote or Votes given by the Shareholder so voting.

Penalty against Fraud.

2. Any Person falsely or fraudulently signing any Voting Paper in the Name of any other Person, and every Person tendering, transmitting, or delivering as genuine any false or falsified Voting Paper, knowing the same to be false or falsified, and any Person with fraudulent Intent altering, defacing, destroying, withholding, or abstracting any Voting Paper, and any Person wilfully making a false Answer to any Question put to him by the Returning or other Officer, shall be guilty of a Misdemeanor, or in Scotland of an Offence punishable by Fine and Imprisonment, and shall be punishable by Fine or Imprisonment, for a Term not exceeding *Three Months*.

This Act and 8 & 9 Vict. c. 16. to be construed together.

3. This Act shall be read and have effect as Part of the Companies Clauses Consolidation Act, 1845 (Eight and Nine Victoria, Chapter Sixteen), and this Act may for all Purposes be cited as "Companies Voting Act, 1866."

SCHEDULE.

I, of
One of the Shareholders of
the Company, do hereby
declare that I give every Vote to which I am entitled in favour of
the ["Motion made by *A. B.* and seconded by *C. D.*," or "Amendment moved by *E. F.* and seconded by *G. H.*"] which was made or moved at the Meeting of the Company held on the
Day of 18 , (*and so of any other Motion or Amendment*), and I do hereby nominate
A. B.,
C. D.,
or *E. G.*,
being Shareholders duly qualified in the aforesaid Company, or One of them, to deliver this Voting Paper at the Poll on my Behalf.

Witness my Hand (*or, if a Corporation, then* the Common Seal of the Corporation), this Day of 18 .

Signature of Shareholder

Address

Public Companies.

A

BILL

To alter and improve the Law relating to voting in Public Companies.

(*Prepared and brought in by Mr. Darby Griffith and Mr. Robert Torrens.*)

Ordered, by The House of Commons, *to be Printed,* 23 *February* 1866.

[Bill 35.]

Under 1 *oz.*

Public Health Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble.

Preliminary.

1. Short Title of Act.

PART I.

Amendment of the Sewage Utilization Act, 1865.

2. Definition of "Sewer Authority."
3. Construction of this Part of Act.
4. Power to Sewer Authority to form Committee of its own Members and others.
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A

B I L L

TO

Amend the Law relating to the Public Health.

WHEREAS it is expedient to amend the Law relating to Public Health: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Preliminary.

1. This Act may be cited for all Purposes as The Sanitary Acts Amendment Act, 1866. Short Title of Act.

PART I.

Amendment of the Sewage Utilization Act, 1865.

2. "Sewer Authority" in this Act shall have the same Meaning as it has in The Sewage Utilization Act, 1865. Definition of "Sewer Authority."

3. This Part of this Act shall be construed as One with The Sewage Utilization Act, 1865, and the Expression "The Sewage Utilization Act, Construction of this Part of Act.

Act, 1865," as used in this or any other Act of Parliament or other Document shall mean the said Sewage Utilization Act, 1865, as amended by this Act.

Power to Sewer Authority to form Committee of its own Members and others.

4. Any Sewer Authority may from Time to Time, at any Meeting specially convened for the Purpose, form One or more Committee or Committees consisting wholly of its own Members, or partly of its own Members and partly of such other Persons contributing to the Rate out of which the Expenses incurred by such Authority are paid, and qualified in such other Manner as the Sewer Authority may determine, and may delegate, with or without Conditions or Restrictions, to any Committee so formed, all or any Powers of such Sewer Authority, and may from Time to Time revoke, add to, or alter any Powers so given to a Committee.

A Committee may elect a Chairman of its Meetings. If no Chairman is elected, or if the Chairman elected is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting. A Committee may meet and adjourn as it thinks proper. The Quorum of a Committee shall consist of such Number of Members as may be prescribed by the Sewer Authority that appointed it, or, if no Number be prescribed, of Three Members. Every Question at a Meeting shall be determined by a Majority of Votes of the Members present, and voting on that Question; and in case of an equal Division of Votes the Chairman shall have a Second or Casting Vote.

The Proceedings of a Committee shall not be invalidated by any Vacancy or Vacancies amongst its Members.

A Sewer Authority may from Time to Time add to or diminish the Number of the Members or otherwise alter the Constitution of any Committee formed by it, or dissolve any Committee.

A Committee of the Sewer Authority shall be deemed to be the Agents of that Authority, and the Appointment of such Committee shall not relieve the Sewer Authority from any Obligation imposed on it by Act of Parliament or otherwise.

Formation of Special Drainage District.

5. Where the Sewer Authority of a District is a Vestry, Select Vestry, or other Body of Persons acting by virtue of any Act of Parliament, Prescription, Statute, or otherwise as or instead of a Vestry or Select Vestry, they may, by Resolution at any Meeting convened for the Purpose after *Twenty-one* clear Days Notice affixed to the Places where Parochial Notices are usually affixed in their District, form any Part of such District into a Special Drainage District for the Purposes of the Sewage Utilization Act, and thereupon such Special Drainage District shall, for the Purposes of

of The Sewage Utilization Act, 1865, and the Powers therein conferred, be deemed to be a Parish in which a Rate is levied for the Maintenance of the Poor, and of which a Vestry is the Sewer Authority, subject, as respects any Meeting of the Inhabitants thereof in Vestry, to the Act of the Fifty-eighth Year of the Reign of King George the Third, Chapter Sixty-nine, and the Acts amending the same; and any Officer or Officers who may from Time to Time be appointed by the Sewer Authority of such Special Drainage District for the Purpose shall have within that District all the Powers of levying a Rate for the Purpose of defraying the Expense of carrying the said Sewage Utilization Act into effect that they would have if such District were such Parish as aforesaid, and such Rate were a Rate for the Relief of the Poor, and they were duly appointed Overseers of such Parish.

Appeal against Constitution of Special Drainage District.

6. Where the Sewer Authority of any Place has formed a Special Drainage District in pursuance of this Act, if any Number of the Inhabitants of such Place, not being less than *Twenty*, feel aggrieved by the Formation of such District, or desire any Modification in its Boundaries, they may, by Petition in Writing under their Hands bring their Case under the Consideration of One of Her Majesty's Principal Secretaries of State, and the said Secretary of State may after due Investigation annul the Formation of the Special Drainage District or modify its Boundaries as he thinks just.

Evidence of Formation of Special Drainage District.

7. A Copy of the Resolution of a Sewer Authority forming a Special Drainage District shall be published by affixing a Notice thereof to the Church Door of the Parish in which the District is situate, or of the adjoining Parish if there be no Church in the said Parish, and by advertising Notice thereof in some Newspaper published or circulating in the County in which such District is situate; and the Production of a Newspaper containing such Advertisement, or a Certificate under the Hand of the Clerk or other Officer performing the Duties of Clerk, for the Time being of the Sewer Authority which passed the Resolution forming the District, shall be Evidence of the Formation of such District, and after the Expiration of *Three Months* from the Date of the Resolution forming the District, such District shall be presumed to have been duly formed, and no Objection to the Formation thereof shall be entertained in any legal Proceedings whatever.

Power to drain into Sewers of Sewer Authority.

8. Any Owner or Occupier of Premises within the District of a Sewer Authority shall be entitled to cause his Drains to empty into the Sewers of that Authority on condition of his giving such

Notice as may be required by that Authority of his Intention so to do, and of complying with the Regulations of that Authority in respect of the Mode in which the Communications between such Drains and Sewers are to be made, and subject to the Control of any Person who may be appointed by the Sewer Authority to superintend the making of such Communications; but any Person causing any Drain to empty into any Sewer of a Sewer Authority without complying with the Provisions of this Section shall incur a Penalty not exceeding *Twenty Pounds*, and it shall be lawful for the Sewer Authority to close any Communication between a Drain and Sewer made in contravention of this Section, and to recover in a summary Manner from the Person so offending any Expenses incurred by them under this Section.

Use of Sewers by Persons beyond District. 11 & 12 Vict. c. 63. ss. 48, 123.

9. Any Owner or Occupier of Premises beyond the Limits of the District of a Sewer Authority may cause any Sewer or Drain from such Premises to communicate with any Sewer of the Sewer Authority upon such Terms and Conditions as may be agreed upon between such Owner or Occupier and such Sewer Authority, or in case of Dispute may, at the Option of the Owner or Occupier, be settled by Two Justices or by Arbitration in manner provided by The Public Health Act, 1848, in respect of Matters by that Act authorized or directed to be settled by Arbitration.

Drainage of Houses.

10. If a Dwelling House within the District of a Sewer Authority is without a Drain or without such Drain as is sufficient for effectual Drainage, the Sewer Authority may by Notice require the Owner of such House within a reasonable Time therein specified to make a sufficient Drain emptying as follows; that is to say, if the Sewer of the Sewer Authority, or any Sewer which they are entitled to use, is within *One hundred* Feet of the Site of such Houses emptying into such Sewer, but if no such Means of Drainage are within that Distance then emptying into such covered Cesspool or other Place not being under any House, as the Sewer Authority directs; and if the Person on whom such Notice is served fails to comply with the same, the Sewer Authority may themselves, at the Expiration of the Time specified in the Notice, do the Work required, and the Expenses incurred by them in so doing may be recovered from such Owner in a summary Manner.

Supply of Water to District of Sewer Authority.

11. A Sewer Authority within its District shall have the same Powers in relation to the Supply of Water that a Local Board has within its District, and the Provisions of the Sections herein-after mentioned shall apply accordingly in the same Manner as if in such Provisions "Sewer Authority" were substituted for "Local Board

Board of Health" or "Local Board," and the District in such Provisions mentioned were the District of the Sewer Authority and not the District of the Local Board; that is to say, the Sections numbered from Seventy-five to Eighty both inclusive, of The Public Health Act, 1848, Sections Fifty-one, Fifty-two, and Fifty-three of The Local Government Act, 1858, and Section Twenty of The Local Government Act, 1858, Amendment Act, 1861.

Expenses of Sewer Authority in supplying Water.

12. Any Expenses incurred by a Sewer Authority in or about the Supply of Water to their District, and in carrying into effect the Provisions herein-before in that Behalf mentioned, shall be deemed to be Expenses incurred by that Authority in carrying into effect The Sewage Utilization Act, 1865, and be payable accordingly.

Wells, &c. belonging to any Place vested in Sewer Authority, &c. 23 & 24 Vict. c. 77. s. 7.

13. All Property in Wells, Fountains, and Pumps, and Powers in relation thereto, vested in the Nuisance Authority by the Seventh Section of the Act passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-seven, shall vest in the Sewer Authority, where the Sewer Authority supply Water to their District.

Proceedings where Sewer Authority in default.

14. Where Complaint is made to any Justice of the Peace that a Sewer Authority has made default in providing their District with sufficient Sewers or in the Maintenance of the existing Sewers, or in providing their District with a Supply of Water in Cases where Danger arises to the Health of the Inhabitants from the Insufficiency or Unwholesomeness of the existing Supply, and a proper Supply can be obtained at a reasonable Cost, the Justice shall issue a Summons to the Sewer Authority requiring such Authority to appear before the Justices at Petty Sessions, and at such Petty Sessions, unless the Sewer Authority undertake to remedy their Default to the Satisfaction of the Justices, and pay the Expenses properly incurred by the Complainant, the Justices shall direct the Sewer Authority to appear at some subsequent Petty Sessions to be then named, and shall either appoint some competent Person to inquire into the alleged Default, and report to them at such other Petty Sessions, or fix a Day, previous to such Petty Sessions, at which Two or more of such Justices will themselves make such Inquiry.

At such last-mentioned Petty Sessions, if the Justices are satisfied, either by the Report of the Person so appointed, or by their own Inquiry, that the Sewer Authority have been guilty of the alleged Default, the Justices shall make an Order on the Sewer Authority limiting a Time for the Performance of their Duty in the Matter of such Complaint, and if such Duty is not performed by the Time limited in the Order, the Justices in Petty Sessions shall appoint

some Person to perform the same, and shall by Order direct that the Expenses of performing the same, together with a reasonable Remuneration to the Person appointed for superintending such Performance, and amounting to a Sum specified in the Order, together with the Costs of the Proceedings, shall be paid by the Sewer Authority; and any Order made for the Payment of such Costs and Expenses may be removed into the Court of Queen's Bench, in the same Manner as if it were an Order of General or Quarter Sessions, and be enforced accordingly.

All Expenses directed to be paid by the Sewer Authority in pursuance of this Section shall be deemed to be Expenses incurred by that Authority for the Purposes of this Act, and shall be recovered accordingly.

In the event of the Sewer Authority appealing to Quarter Sessions in manner herein-after mentioned, the Order of the Justices shall be suspended until such Appeal has been determined.

Appeal to Quarter Sessions.

15. Where any Complaint is made to the Justices in pursuance of this Part of this Act in respect of any such Default as aforesaid made by any Sewer Authority, if the Complainant feels aggrieved by the Dismissal of his Complaint, or the Sewer Authority feels aggrieved by the Order of the Justices made in respect of such Complaint, the Party so aggrieved may appeal therefrom, subject to the Conditions and Regulations following:

The Appeal shall be made to the next practicable Court of General or Quarter Sessions held for the County or Place in which the Cause of Complaint has arisen:

The Appellant shall, within Four Days after the Cause of Appeal has arisen, give Notice to the other Party of his Intention to appeal, and of the Ground thereof:

The Appellant shall as soon as practicable after such Notice enter into a Recognizance before a Justice of the Peace with Two sufficient Sureties conditioned personally to try such Appeal, and to abide the Judgment of the Court thereon, and to pay such Costs as may be awarded by the Court:

The Court may adjourn the Appeal, and upon the Hearing thereof they may make such Order as they think just.

Power to refer Case to Arbitration.

16. If at any Time after such Notice of Appeal has been given and such Recognizance has been entered into as aforesaid, it appears to the Court of General or Quarter Sessions on the Application of either Party that the Matter in question in such Appeal consists wholly or in part of Engineering or other Questions which cannot be satisfactorily tried by the Court, it shall be lawful for such Court to order that such Matters, either wholly or in part, be referred to the

the Arbitration of One or more Persons to be appointed by the Parties, or in case of Disagreement by the Court, and the Award made on such Arbitration shall be enforceable by the same Process as the Order of the Court of Quarter Sessions.

17. The Provisions of The Common Law Procedure Act, 1854, relating to compulsory References shall be deemed to extend to Arbitrations directed by the Court of Quarter Sessions in pursuance of this Act, and the Word "Court" in the said Act shall be deemed to include the Court of Quarter Sessions. 17 & 18 Vict. c. 125. ss. to incorporated.

PART II.

Amendment of the Nuisances Removal Acts.

18. The Expression "Nuisances Removal Acts" shall mean the Acts passed in the Years following of the Reign of Her present Majesty, that is to say, the one in the Session of the Eighteenth and Nineteenth Years, Chapter One hundred and twenty-one, and the other in the Session of the Twenty-third and Twenty-fourth Years, Chapter Seventy-seven, as amended by this Part of this Act; and this Part of this Act shall be construed as One with the said Acts, and all Expenses incurred by a Nuisance Authority in carrying into effect any of the Provisions of this Part of this Act shall be deemed to be Expenses incurred by them in carrying into effect the Nuisances Removal Acts. Definition of "Nuisances Removal Acts."

19. "Nuisance Authority" shall mean any Authority empowered to execute the Nuisances Removal Acts. Definition of "Nuisance Authority."

20. In any Place within the Jurisdiction of a Nuisance Authority the Chief Officer of Police within that Place may do any Act or institute any Proceeding which the Nuisance Authority of such Place might do or execute with respect to the Removal of Nuisances, and any Expenses incurred by him or under his Orders in doing such Act or instituting such Proceedings shall be deemed to be Expenses incurred in respect of the Police subject to his Orders, and be defrayed accordingly. Power of Police with respect to Nuisances.

21. The Third Section of the said Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-seven, shall be repealed, and all Powers vested in any Highway Board or "Nuisance Removal Committee" under the Nuisances Removal Acts shall determine, and all Property belonging to them for the Purposes of the said Nuisances Removal Repeal of 23 & 24 Vict. c. 77. s. 3.

Acts shall, subject to any Debts or Liabilities affecting the same, be transferred to or vested in the Nuisance Authority under the said Acts.

Addition to Definition of Nuisance.

22. The Word "Nuisances" under the Nuisance Removal Acts shall include,

1. Any House or Part of a House so overcrowded as to be dangerous or prejudicial to the Health of the Inmates:

2. Any Factory, Workshop, or Workplace not already under the Operation of any General Act for the Regulation of Factories or Bakehouses, not kept in a cleanly State, or not ventilated in such a Manner as to render harmless as far as practicable any Gases, Dust, or other Impurities generated in the course of the Work carried on therein, that are a Nuisance or injurious or dangerous to Health:

3. Any Fireplace or Furnace which does not consume its own Smoke, and is used within the District of a Nuisance Authority for working Engines by Steam, or in any Mill, Factory, Dyehouse, Brewery, Bakehouse, or Gaswork, or in any Manufactory whatsoever:

Provided, First, that in Places where at the Time of the passing of this Act no Enactment is in force compelling Fireplaces or Furnaces to consume their own Smoke, the foregoing Enactment as to Fireplaces and Furnaces consuming their own Smoke shall not come into operation until the Expiration of One Year from the Date of the passing of this Act:

Secondly, that where a Person is summoned before the Justices in respect of a Nuisance arising from a Fireplace or Furnace which does not consume its own Smoke, the Justices may hold that no Nuisance is created within the Meaning of this Act, and dismiss the Complaint, if they are satisfied that such Fireplace or Furnace is constructed in such Manner as to consume as far as possible all Smoke arising therefrom, and that such Fireplace or Furnace has been carefully attended to by the Person having the Charge thereof, and that the Smoke therefrom has, so far as is possible, been, in fact, consumed.

Duties of Nuisance Authorities as to Inspection of Nuisances, &c.

23. It shall be the Duty of the Nuisance Authority to make from Time to Time, either by itself or its Officers, Inspection of the District, with a view to ascertain what Nuisances exist calling for Abatement under the Powers of the Nuisance Removal Acts, and to enforce the Provisions of the said Acts in order to cause the Abatement thereof; also to enforce the Provisions of any Act that may be in force within their District requiring Fireplaces and Furnaces to consume their own Smoke.

24. The

Proceedings of Nuisance Authority. 18 & 19 Vict. c. 121. s. 12.

24. The Nuisance Authority may, previous to taking Proceedings before a Justice under the Twelfth Section of The Nuisances Removal Act, 1855, serve a Notice on the Person by whose Act, Default, or Sufferance the Nuisance arises or continues, or, if such Person cannot be found or ascertained, on the Owner or Occupier of the Premises on which the Nuisance arises, to abate the same, and for that Purpose to execute such Works and to do all such Things as may be necessary within a Time to be specified in the Notice: Provided

First, that where the Nuisance arises from the Want or defective Construction of any structural Convenience, or where there is no Occupier of the Premises, Notice under this Section shall be served on the Owner:

Secondly, that where the Person causing the Nuisance cannot be found, and it is clear that the Nuisance does not arise or continue by the Act, Default, or Sufferance of the Owner or Occupier of the Premises, then the Nuisance Authority may itself abate the same without further Order, and the Cost of so doing shall be Part of the Costs of executing the Nuisances Removal Acts, and borne accordingly.

On Complaint of Neglect of Duty of Nuisance Authority in abating Nuisances, Justices may enforce such Duty.

25. Where a Complaint is made to any Justice of the Peace that the Nuisance Authority has neglected to take Proceedings for abating a Nuisance in respect of which it is their Duty to enforce the Provisions of the Nuisances Removal Acts, the Justice shall issue a Summons to the Nuisance Authority, requiring such Authority to appear before the Justices in some Petty Sessions in the Summons mentioned, to show Cause why it has not taken Proceedings to abate the Nuisance; and at such Petty Sessions, unless the Nuisance Authority shows Cause to the Satisfaction of the Justices why it has not taken such Proceedings, the Justices shall make an Order on the Nuisance Authority, directing it to pay the Costs of the Complaint, and to take the Proceedings necessary for abating the Nuisance within a Time to be named in the Order.

If the Nuisance Authority makes default in taking Proceedings to abate the Nuisance within the Time mentioned in the Order, or fails to prosecute such Proceedings with due Diligence, the Justices may, on further Complaint made to them of the Neglect or Failure of the Nuisance Authority, make an Order empowering the Complainant to take such Proceedings as he may be advised for abating the Nuisance, and all Costs, Charges, and Expenses incurred by the Complainant in taking such Proceedings shall be repaid to him by the Nuisance Authority out of the Rate applicable to the Payment of Expenses incurred under the Nuisances Removal Acts, and in default of Payment may be recovered in a summary Manner.

Where any Complaint is made to Justices in pursuance of this Section, if the Complainant feels aggrieved by the Dismissal of his Complaint, or the Nuisance Authority feels aggrieved by the Order of the Justices, the Party aggrieved may appeal therefrom to General or Quarter Sessions in the same Manner and subject to the same Conditions and Regulations in and subject to which a Party aggrieved is empowered to appeal to such Sessions under the First Part of this Act.

Power to cause Premises to be cleansed, limewashed, or otherwise disinfected.

26. If it appear to the Nuisance Authority, upon the Certificate of any legally qualified Medical Practitioner, that the cleansing, limewashing, or otherwise disinfecting of any House or Part thereof would tend to prevent or check infectious or contagious Disease, the Nuisance Authority may give Notice in Writing requiring the Owner or Occupier of such House or Part thereof to cleanse, limewash, or otherwise disinfect the same, as the Case may require; and if the Person to whom Notice is so given fail to comply therewith within the Time specified in the Notice, he shall be liable to a Penalty of not less than *One Shilling* and not exceeding *Ten Shillings* for every Day during which he continues to make default; and the Nuisance Authority may, if it think fit, cause such House or Part thereof to be cleansed, limewashed, or otherwise, and may recover the Expenses incurred from the Owner or Occupier in default in a summary Manner.

Nuisance Authorities may provide Carriages for Conveyance of infected Persons.

27. It shall be lawful at all Times for the Nuisance Authority to provide and maintain a Carriage or Carriages suitable for the Conveyance of Persons suffering under any contagious or infectious Disease, and to pay the Expense of conveying any Person therein to a Hospital or Place for the Reception of the Sick or to their own Homes.

Removal of Persons sick of infectious Disorders, and without proper Lodging, in any District.

28. Where a public Hospital or public Place for the Reception of the Sick is provided within the District of a Nuisance Authority, any Justice may, by Order, on a Certificate signed by a legally qualified Medical Practitioner, direct the Removal to such Hospital or Place for the Reception of the Sick, at the Cost of the Nuisance Authority, of any Person suffering from any dangerous, contagious, or infectious Disorder, being without Lodging or Accommodation, or lodged in a Room occupied by more than One Family.

Places for the Reception of dead Bodies may be provided at the Public Expense.

29. Nuisance Authorities may provide a proper Place for the Reception of dead Bodies, and where any such Place has been provided and any dead Body of One who has died of any infectious Disease is retained in a Room in which Persons live or sleep, or is in such a State as to endanger the Health of the Inmates of the same House or Room, any Justice may, on a Certificate signed by a legally qualified

qualified Medical Practitioner, order the Body to be removed to such proper Place of Reception, at the Cost of the Nuisance Authority.

Power of Entry to Nuisance Authority or their Officer. 18 & 19 Vict. c. 121 c. 11.

30. The Power of Entry given to the Authorities by the Eleventh Section of The Nuisances Removal Act, 1858, may be exercised at any Hour when the Business in respect of which the Nuisance arises is in progress or is usually carried on.

And any Justices Order once issued under the said Section shall continue in force until the Nuisance has been abated, or the Work for which the Entry was necessary has been done.

Provision as to Ships within the Jurisdiction of Nuisance Authority.

31. Any Ship or Vessel lying in any River, Harbour, or other Waters shall be subject to the Jurisdiction of the Nuisance Authority of the District within or near to which such River, Harbour, or other Water is, and be within the Provisions of the Nuisances Removal Acts in the same Manner as if it were a House within such Jurisdiction, and the Master or other Officer in charge of such Ship shall be deemed for the Purposes of the Nuisances Removal Acts to be the Occupier of such Ship or Vessel; but this Section shall not apply to any Ship or Vessel belonging to Her Majesty or to any Foreign Government.

Where any River, Harbour, or other Waters as aforesaid lies within or near to the Jurisdiction of Two or more Nuisance Authorities, any One or more of such Nuisance Authorities shall have Jurisdiction over any Ship or Vessel in such River, Harbour, or other Waters.

PART III.

Miscellaneous.

In Cities, Boroughs, or Towns, Secretary of State, on Application of Nuisance Authority, may empower them to make Regulations as to Lodging Houses.

32. On Application to One of Her Majesty's Principal Secretaries of State by the Nuisance Authority of any Municipal Borough, or of any Place under The Local Government Act, 1858, or any Local Improvement Act, or of any City or Town containing, according to the Census for the Time being in force, a Population of not less than Twenty thousand Inhabitants, the Secretary of State may, as he may think fit, by Notice to be published in the London Gazette, declare the following Enactment to be in force in the District of such Nuisance Authority, and from and after the Publication of such Notice the Nuisance Authority shall be empowered to make Regulations for the following Matters; that is to say,

1. For fixing the Number of Lodgings which may be separately let or occupied in any House let in separate Lodgings within the District, and for fixing the Number of Persons who may occupy any such Lodgings:
2. For the Registration of Houses thus let in Lodgings:

3. For the Inspection of such Houses, and the keeping the same in a cleanly and wholesome State:
4. For enforcing therein the Provision of Privy Accommodation and other Appliances and Means of Cleanliness in proportion to the Number of Lodgings and Occupiers, and the cleansing and Ventilation of the common Passages and Staircases:
5. For the cleansing and lime-whiting at stated Times of such Premises:

The Nuisance Authority may provide for the Enforcement of the above Regulations by Penalties not exceeding *Forty Shillings* for any One Offence.

Power to provide Hospitals.

33. The Sewer Authority or Nuisance Authority may provide for the Use of the Inhabitants within its District either permanent Hospitals or temporary Places for the Reception of the Sick.

They may themselves build such Hospitals or Places of Reception, or make Contracts for the Use of any existing Hospital or Part of a Hospital, or for the temporary Use of any Place for the Reception of the Sick.

They may enter into any Agreement with any Person or Body of Persons having the Management of any Hospital for the Reception of the sick Inhabitants of their District, on Payment by the Sewer Authority of such annual or other Sum as may be agreed upon.

The carrying into effect this Section shall in the Case of a Sewer Authority be deemed to be One of the Purposes of the said Sewage Utilization Act, 1865, and all the Provisions of the said Act shall apply accordingly.

Where the Nuisance Authority is a Board of Guardians, the Sanction of the Poor Law Board must be obtained to any Exercise by that Authority of the Powers given by this Section.

Penalty on any Person, with infectious Disorder, exposing himself, or on any Person in charge of such Sufferer causing such Exposure.

34. Any Person suffering from any dangerous infectious Disorder who wilfully exposes himself, without proper Precaution against spreading the said Disorder, in any Street, public Place, or public Conveyance, and any Person in charge of one so suffering who so exposes the Sufferer, and any Owner or Driver of a public Conveyance who does not immediately provide for the Disinfection of his Conveyance after it has, with the Knowledge of such Owner or Driver, conveyed any such Sufferer, and any Person who without previous Disinfection knowingly gives, sells, transmits, or exposes any Bedding, Clothing, Rags, or other Things which have become infected with Exhalation or other Discharges arising from such Disorders, shall on Conviction of such Offence before any Justice be liable to a Penalty not exceeding *Five Pounds:* Provided that no Proceedings under this Section shall be taken against Persons transmitting with proper Precautions any such Bedding, Clothing, Rags,

Rags, or other Things for the Purpose of having the same disinfected.

Guardians and Overseers of the Poor to be the Local Authorities for executing Diseases Prevention Act.

35. Where in any Place Two or more Boards of Guardians have Jurisdiction, the Privy Council may, by any Order made under The Diseases Prevention Act, 1855, authorize or require such Boards to act together for the Purposes of that Act, and may prescribe the Mode of such joint Action and of defraying the Costs thereof.

Evidence of Family in case of overcrowded Houses.

36. In any Proceedings under The Common Lodging Houses Act, 1851, or the Nuisances Removal Acts, or any other Enactment relating to the overcrowding of Houses, if the Inmates of any House or Part of a House allege that they are Members of the same Family, the Burden of proving such Allegation shall lie on the Persons making it.

Extension to the whole of England of 11 & 12 Vict. c. 63. s. 67.

37. The Sixty-seventh Section of The Public Health Act, 1848, relating to Cellar Dwellings shall apply to the whole of England, and in applying that Section to Places where it is not in force at the Time of the passing of this Act the Expression "this Act" shall be construed to mean the "Sanitary Acts Amendment Act, 1866," and not the said Public Health Act, 1848.

Local Board in certain Cases may adopt Baths and Washhouses Acts.

38. Local Boards acting in execution of The Local Government Act, 1858, may adopt the Act to encourage the Establishment of public Baths and Wash-houses, and any Act amending the same, for Districts in which those Acts are not already in force, and when they have adopted the said Acts, they shall have all the Powers, Duties, and Rights of Commissioners under the said Acts; and all Expenses incurred by any Local Board in carrying into execution the Acts referred to in this Section shall be defrayed out of the General District Rates, and all Receipts by them under the said Acts shall be carried to the District Fund Account.

Penalty for wilful Damage of Works.

39. Any Person wilfully damaging any Works on or in connexion with Premises for the Reception or Removal of Refuse or for Water Supply, shall for each Offence be liable to a Penalty of *Five Pounds*, to be recovered in a summary Manner.

Incorporation of Sanitary Authorities.

40. The following Bodies, that is to say, Local Boards, Sewer Authorities, and Nuisance Authorities, shall respectively be Bodies Corporate designated by such Names as they may usually bear or adopt, with Power to sue and be sued in such Names, and to hold Lands for the Purposes of the several Acts conferring Powers on such Bodies respectively in their several Characters of Local Boards, Sewer Authorities, or Nuisance Authorities.

 41. Any

Appearance of Local Authorities in legal Proceedings.

41. Any Authority incorporated by this Act may appear before any Justice or Justices, or in any legal Proceedings, by any One of its Members or by any Officer authorized to appear, in Writing under the Hands of any Two such Members.

Recovery of Penalties.

42. Penalties under this Act, and Expenses directed to be recovered in a summary Manner, may be recovered before Two Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen Victoria, Chapter Forty-three, intituled "An Act to "facilitate the Performance of the Duties of Justices of the Peace "out of Sessions within England and Wales with respect to summary "Convictions and Orders," or any Act amending the same.

Powers of Act cumulative.

43. All Powers given by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on any Local Authority by Act of Parliament, Law, or Custom; and such Authority may exercise such other Powers in the same Manner as if this Act had not passed.

PART IV.

Application of Act to Ireland.

Modifications necessary for Application of Part I. to Ireland.

44. In applying the First Part of this Act to Ireland, the following Changes shall be observed:

(1.) An Appeal against the Constitution of a Special Drainage District shall, in Ireland, be made to, and the Power of annulling the Formation of a Special District and of modifying its Boundaries vested in, the Lord Lieutenant in Council:

(2.) The Provisions of the Sections numbered from Seventy-five to Eighty, both included, of The Public Health Act, 1848, and Sections Fifty-one, Fifty-two, and Fifty-three of The Local Government Act, 1858, and Section Twenty of The Local Government Act, 1858, Amendment Act, 1861, and the Provisions of the Seventh Section of the Twenty-third and Twenty-fourth Victoria, Chapter Seventy-seven, and the Provisions of The Common Law Procedure Act, 1854, with regard to compulsory Reference, referred to in the First Part of this Act, shall for all Purposes connected with the Execution of this Act be extended to Ireland:

(3.) The Words Lord Lieutenant in Council shall mean in this Act, the Lord Lieutenant or any Chief Governor or Chief Governors in Ireland acting by and with the Consent of Her Majesty's Privy Council in Ireland:

(4.) The

(4.) The Sewage Utilization Act, 1865, shall be amended by substituting in Ireland the Sewer Authority, as defined by the First Schedule to this Act, for the Sewers Authority as defined by said Act.

Modifications necessary for Application of Part II. to Ireland.

45. The Nuisance Removal Acts as amended by the Second Part of this Act shall apply to Ireland; provided, however, that in such Application the following Changes shall be observed:

(1.) Sewer Authority as defined by the Sewage Utilization Act, 1865, and amended by this Act, shall in Ireland be the Nuisance Authority for executing the Nuisance Removal Acts:

(2.) The Expenses of executing the Nuisance Removal Acts shall be defrayed out of the Funds herein-after provided:

(3.) The Penalties shall be recovered in the Manner herein-after provided:

(4.) The Expressions "Mayor, Aldermen, and Burgesses," "Council," "Borough Rate," "Borough Fund," and "Town Rate," shall in the First Schedule hereto have respectively the same Meaning as in the Acts for the Regulation of Municipal Corporations in Ireland:

(5.) For the Purposes of the Twenty-second Section of The Nuisance Removal Act, 1855, the Nuisance Authority shall in Ireland have the Power of entering Land conferred by The Sewage Utilization Act, 1865, and shall have the same Power of levying Assessments under the said Section that they have of levying any other Rates they are authorized by Law to impose.

How Expenses to be defrayed in Ireland when Nuisance Authority not a Board of Guardians.

46. In Ireland, the Nuisance Authority, not being the Guardians of the Poor, shall pay all Expenses incurred by them in carrying the Nuisance Removal Acts into effect, out of the Fund in the First Schedule in that Behalf mentioned; and where such Fund arises wholly or in part from Rates, shall have, in addition to their existing Powers of Rating, all such Powers for making and levying any extra Rate, if necessary, respectively, as in the Case of any Rate authorized to be made under the Provisions of the respective Acts of Parliament under which the Nuisance Authorities are constituted or authorized to levy Rates; and all Provisions of such Acts respectively shall be applicable in respect thereof; provided that when the Rates to be assessed by such Authority are limited by Law to a certain rateable Amount, such Limitation shall not apply or extend to Expenses incurred in carrying this Act into execution; and it shall be lawful for such Authority to assess the Expenses under this Act in addition to such limited Assessment.

When Board of Guardians is Nuisance Authority, how Expenses to be defrayed in Ireland.

47. In Ireland, a Nuisance Authority, being Guardians of the Poor, shall pay all Expenses incurred by them in carrying this Act into effect out of the Poor Rates of the Union, and charge he stame to the Union, or any Electoral Division or Electoral Divisions thereof, in such Manner as the Poor Law Commissioners shall from Time to Time, by general Orders applicable to Classes of Cases, or by Order in any particular Case direct.

Recovery of Penalties in Ireland.

48. In Ireland, Penalties under this Act and Expenses or Compensation directed to be recovered in a summary Manner, and Nuisances and other Offences liable to be prosecuted summarily, shall be recovered and prosecuted in manner directed by Statute Fourteenth and Fifteenth Victoria, Chapter Ninety-three, intituled "An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions, and the Duties of Justices of the Peace and of Quarter Sessions in Ireland," or any Act amending the same; and all Penalties recovered by any Authority under this Act shall be paid to them respectively, or by them applied in aid of their Expenses under this Act.

Any Order authorized to be made by Justices under this Act shall be deemed to be an Order made upon a Complaint on which Justices are authorized to make Orders under the last-mentioned Act.

The Nuisance and Sewers Authority may appear before the Justices at Petty Sessions by any Member of the Board, or any other Person authorized by them so to appear.

Modifications necessary for Application of Part III. to Ireland.

49. In applying the Provisions of Part III. of this Act to Ireland the following Changes shall be observed:

(1.) Applications for Power to make Regulations as to Lodging Houses may be made by any Nuisance Authority, except a Board of Guardians, and shall be made to the Lord Lieutenant in Council, and the said Lord Lieutenant in Council shall have the Power of declaring the Enactments as to Lodging Houses in the Third Part of this Act to be in force in any Nuisance District:

(2.) The said Lord Lieutenant in Council shall have and exercise the Power, in respect of Boards of Guardians acting together, vested in the Privy Council by the said Third Part of this

(3.) Act: In Ireland, any Nuisance Authority, except a Board of Guardians, may exercise the Powers conferred on Local Boards acting in the Execution of The Local Government Act, 1858, by the said Third Part of this Act:

(4.) Sewer and Nuisance Authorities in Ireland shall be incorporated for the Purposes of this Act by the Names set forth in the said First Schedule hereto; and such Sewer or Nuisance

Nuisance Authorities may hold Lands by such Names for the Purposes of Burial Ground (Ireland) Act, 1856:

(5.) The Penalties under the Third Part of this Act shall be recovered in like Manner as herein-before provided with respect to Penalties under the Second Part of this Act.

Modifications necessary for Application of Disease Prevention Act to Ireland.

50. The Disease Prevention Act, 1855, as amended by the Nuisance Removal and Disease Prevention Amendment Act, 1860, and this Act, shall extend to Ireland: Provided, however, that in such Application the following Changes shall be observed:

(1.) The Lord Lieutenant in Council shall have the Power with respect to Ireland which the Privy Council has under such Provisions for Prevention of Disease in England:

(2.) Publication shall be made in the Dublin Gazette in any Case in Ireland where Publication in the London Gazette is required in England:

(3.) The Commissioners for administering the Laws for the Relief of the Poor in Ireland, herein-after called the Poor Law Commissioners, shall be the Authority in Ireland for issuing Regulations to carry the Provisions of said Act into effect:

(4.) The Regulations of the Poor Law Commissioners shall be authenticated in like Manner as Orders of theirs under the Dispensary Act, 1851, Stat. 15 & 16 Vict. c. 68. Sect. 8.:

(5.) In defraying the Expenses of the Prevention of Disease out of the Poor Rate of the Union under this Act the Guardians of the Poor shall charge the same to the Union, or any Dispensary District or Electoral Division or Divisions thereof, in such Manner as the Poor Law Commissioners shall from Time to Time, by General Orders applicable to Classes of Cases, or by Orders in particular Cases direct.

Committee and Officers under Dispensaries Act to aid Local Authority in execution of this Act.

51. In Ireland, all Committees, Inspectors, Medical Officers, and other Persons appointed or employed under the Powers of Statute Fourteenth and Fifteenth Victoria, Chapter Sixty-eight, (the Dispensaries Act, 1851), shall, and they are hereby required within their respective Districts to aid the Local Authority, and such Officers or Persons as they shall appoint or employ in the Superintendence and Execution of any Directions and Regulations which may at any Time be issued by the Poor Law Commissioners for the Time being, under the Authority and by virtue of this Act.

The Provisions of the Dispensary Act, 1851, as to Duties

52. In Ireland, the Provisions of The Dispensary Act, 1851 (Statute 14 & 15 Vict. c. 68.), with respect to the Duties and Appointment of Medical Inspectors, shall be incorporated with this

and Appointment of Medical Inspectors in Ireland, incorporated with this Act.

Act, and the Prevention of Disease and Inquiry into Public Health under this Act shall be deemed One of the Purposes for which such Medical Inspectors have been or may be appointed, in like Manner as if its Provisions had been referred to in the said Act of 1851, instead of the Provisions of the said Nuisance Removal and Diseases Prevention Act of 1848.

Remuneration to Medical Practitioners for Services under the Directions and Regulations of the Poor Law Commissioners in Ireland.

53. In Ireland, whenever in compliance with any Direction or Regulation of the Poor Law Commissioners, which they may be empowered to make under the Laws for the Time being as to the Public Health, any Medical Officer of a Union or Dispensary District, or any other Medical Practitioner specially employed by the Guardians for the Purpose, shall perform any extra Medical Service in any Union or Part of a Union, it shall and may be lawful for the Guardians of the Union to determine, subject to the Approval of the said Commissioners, and if they shall not approve the Amount determined by the Guardians, for the said Commissioners to fix by Order under their Seal, such Remuneration, proportioned to the Nature and Extent of such Services as aforesaid, as to them shall appear just and reasonable; and the Amount of such Remuneration shall be paid to such Medical Officer or other Medical Practitioner by the Guardians of the Union, out of the Rates raised for the Relief of the Poor, and shall be charged either to the Union at large, or to such Part or Parts of the Union, according to the Nature of the Case, as the said Commissioners shall in each Case direct.

Poor Law Commissioners may direct Inquiries as to Public Health in Ireland.

54. In Ireland, the Poor Law Commissioners may from Time to Time cause to be made such Inquiries as they see fit, in relation to any Matters concerning the Public Health in any Place or Places, and to the Observance of the Regulations and Directions issued by them under this Act.

Repeal of Statutes applicable to Ireland.

55. From and after the passing of this Act the Acts set forth in the Second Schedule hereto shall be repealed, so far as they are still in force: Provided always, that all Proceedings commenced or taken under the said Acts and not yet completed may be proceeded with under said Acts, and that all Contracts and Works undertaken by virtue of said Acts shall continue and be effective as if said Acts had not been repealed.

SCHE-

SCHEDULES.

FIRST SCHEDULE.

Application to Ireland.

Description of Sewers and Nuisance Authority in Ireland.	Description of Sewers and Nuisance District in Ireland.	Corporate Name, for the Purpose of suing or being sued, or holding Property, under the Provisions of this Act.	Rate or Fund out of which Expenses incurred by Sewers or Nuisance Authority under this Act to be defrayed.
The Right Honorable the Lord Mayor, Alderman, and Burgesses, acting by the Town Council.	The City of Dublin.	The Right Honorable the Lord Mayor, Aldermen, and Burgesses of the City of Dublin.	The Borough Rate or Borough Fund.
The Mayor, Aldermen, and Burgesses, acting by the Town Council.	Towns Corporate, with Exception of Dublin.	The Mayor, Aldermen, and Burgesses of the City or Town of——	The Borough Rate or Borough Fund.
The Town Commissioners.	Towns having Town Commissioners, under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 113), or under any Local Act.	The Town Commissioners of ——	Any Rate levied by the Commissioners.
The Township Commissioners.	Townships having Commissioners under Local Acts.	The Township Commissioners of ——	
The Commissioners appointed by virtue of an Act made in the 9th Year of the Reign of George the Fourth, intituled "An Act to make Provision for the lighting, cleansing, and watching of Cities and Towns Corporate, and Market Towns in Ireland, in certain Cases."	Towns under such Commissioners.	The Lighting and Cleansing Commissioners of the Town of ——	
The Municipal Commissioners.	Towns having Municipal Commissioners, under 3 & 4 Vict. c. 108.	The Municipal Commissioners of ——	The Town Fund.
The Guardians of the Poor of each Union.	Such Part of each Union as is not under another Sewer or Nuisance Authority.	The Guardians of the Poor of the —— Union.	The Poor Rate of Union.

SECOND SCHEDULE.

Statutes repealed.

Local Boards of Health Act for Ireland, 1818;	Statute 58 Geo. 3. c. 47. ss. 10 to 15, inclusive.
Officers of Health Act for Ireland, 1819;	Statute 59 Geo. 3. c. 41.
Nuisance Removal and Disease Prevention Act, 1848.	
Nuisance Removal and Disease Prevention Act, 1849.	

Public Health.

A

B I L L

To amend the Law relating to the Public Health.

(Prepared and brought in by Mr. Bruce, Mr. Chichester Fortescue, and Sir G. Grey.)

Ordered, by The House of Commons, *to be Printed*, 6 *June* 1866.

[Bill 180.] *Under* 3 *oz.*

Public Health Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble.

Preliminary.

1. Short Title of Act.

PART I.

Amendment of the Sewage Utilization Act, 1865.

2. Definition of "Sewer Authority."
3. Construction of this Part of Act.
4. Power to Sewer Authority to form Committee of its own Members and others.
5. Formation of Special Drainage District.
6. Appeal against Constitution of Special Drainage District.
7. Evidence of Formation of Special Drainage District.
8. Power to drain into Sewers of Sewer Authority.
9. Use of Sewers by Persons beyond District. 11 & 12 Vict. c. 63. ss. 48, 123.
10. Drainage of Houses.
11. Supply of Water to District of Sewer Authority.
12. Expenses of Sewer Authority in supplying Water.
13. Wells, &c. belonging to any Place vested in Sewer Authority, &c. 23 & 24 Vict. c. 77. s. 7.
14. Proceedings where Sewer Authority in default.
15. Appeal to Quarter Sessions.
16. Power to refer Case to Arbitration.
17. 17 & 18 Vict. c. 125. incorporated.

PART II.

Amendment of the Nuisances Removal Acts.

18. Definition of "Nuisances Removal Acts."
19. Definition of "Nuisance Authority."
20. Power of Police with respect to Nuisances.
21. Repeal of 23 & 24 Vict. c. 77. s. 3.
22. Requisition of Ten Inhabitants equivalent to Certificate of Medical Officer.—CLAUSE A.
23. Addition to Definition of Nuisance.

Clauses.

24. Repeal of s. 29. of 18 & 19 Vict. c. 121.—CLAUSE B.
25. Duties of Nuisance Authorities as to Inspection of Nuisances, &c.
26. Proceedings of Nuisance Authority. 18 & 19 Vict. c. 121. s. 11.
27. On Complaint of Neglect of Duty of Nuisance Authority in abating Nuisances, Justices may enforce such Duty.
28. Power to cause Premises to be cleansed, limewashed, or otherwise disinfected.
29. Nuisance Authorities may provide Carriages for Conveyance of infected Persons.
30. Removal of Persons sick of infectious Disorders, and without proper Lodging, in any District.
31. Places for the Reception of dead Bodies may be provided at the Public Expense.
32. Power of Entry to Nuisance Authority or their Officer. 18 & 19 Vict. c. 121. s. 11.
33. Provision as to Ships within the Jurisdiction of Nuisance Authority.

PART III.

Miscellaneous.

34. In Cities, Boroughs, or Towns, Secretary of State, on Application of Nuisance Authority, may empower them to make Regulations as to Lodging Houses.
35. Power to provide Hospitals.
36. Penalty on any Person, with infectious Disorder, exposing himself, or on any Person in charge of such Sufferer causing such Exposure.
37. Penalty on Persons letter Houses in which infected Persons have been lodging.—CLAUSE C.
38. Guardians and Overseers of the Poor to be the Local Authorities for executing Diseases Prevention Act.
39. Evidence of Family in case of overcrowded Houses.
40. Extension to the whole of England and Ireland of 11 & 12 Vict. c. 63. s. 67.
41. Local Board in certain Cases may adopt Baths and Washhouses Act.
42. Power to Burial Boards in certain Cases to transfer their Powers to Local Board.—CLAUSE D.
43. Penalty for wilful Damage of Works.
44. Incorporation of Sanitary Authorities.
45. Appearance of Local Authorities in legal Proceedings.
46. Recovery of Penalties.
47. Powers of Act cumulative.

PART

PART IV.

Application of this Act to Ireland.

Clauses.
48. Modifications necessary for Application of Part I. to Ireland.
49. Modifications necessary for Application of Part II. to Ireland.
50. How Expenses to be defrayed in Ireland when Nuisance Authority not a Board of Guardians.
51. When Board of Guardians is Nuisance Authority, how Expenses to be defrayed in Ireland.
52. Recovery of Penalties in Ireland.
53. Modifications necessary for Application of Part III. to Ireland.
54. Modifications necessary for Application of Disease Prevention Act to Ireland.
55. Committee and Officers under Dispensaries Act to aid Local Authority in execution of this Act.
56. The Provisions of the Dispensary Act, 1851, as to Duties and Appointment of Medical Inspectors in Ireland, incorporated with this Act.
57. Remuneration to Medical Practitioners for Services under the Directions and Regulations of the Poor Law Commissioners in Ireland.
58. Poor Law Commissioners to make Inquiries as to Public Health in Ireland.—Clause E.
59. Publication in Ireland to be made in Dublin Gazette. — Clause F.
60. Repeal of Statutes applicable to Ireland.

First Schedule. Definition of Nuisance and Sewer Authority in Ireland.

Second Schedule. Statutes repealed as to Ireland.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend the Law relating to the Public Health.

WHEREAS it is expedient to amend the Law relating to Public Health: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Preliminary.

1. This Act may be cited for all Purposes as The Sanitary Act, 1866. Short Title of Act.

PART I.

Amendment of the Sewage Utilization Act, 1865.

2. "Sewer Authority" in this Act shall have the same Meaning as it has in The Sewage Utilization Act, 1865. Definition of "Sewer Authority."

3. This Part of this Act shall be construed as One with The Sewage Utilization Act, 1865, and the Expression "The Sewage Utilization Act, Construction of this Part of Act.

Act, 1865," as used in this or any other Act of Parliament or other Document shall mean the said Sewage Utilization Act, 1865, as amended by this Act.

Power to Sewer Authority to form Committee of its own Members and others.

4. Any Sewer Authority may from Time to Time, at any Meeting specially convened for the Purpose, form One or more Committee or Committees consisting wholly of its own Members, or partly of its own Members and partly of such other Persons contributing to the Rate or Fund out of which the Expenses incurred by such Authority are paid, and qualified in such other Manner as the Sewer Authority may determine, and may delegate, with or without Conditions or Restrictions, to any Committee so formed, all or any Powers of such Sewer Authority, and may from Time to Time revoke, add to, or alter any Powers so given to a Committee.

A Committee may elect a Chairman of its Meetings. If no Chairman is elected, or if the Chairman elected is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting. A Committee may meet and adjourn as it thinks proper. The Quorum of a Committee shall consist of such Number of Members as may be prescribed by the Sewer Authority that appointed it, or, if no Number be prescribed, of Three Members. Every Question at a Meeting shall be determined by a Majority of Votes of the Members present, and voting on that Question; and in case of an equal Division of Votes the Chairman shall have a Second or Casting Vote.

The Proceedings of a Committee shall not be invalidated by any Vacancy or Vacancies amongst its Members.

A Sewer Authority may from Time to Time add to or diminish the Number of the Members or otherwise alter the Constitution of any Committee formed by it, or dissolve any Committee.

A Committee of the Sewer Authority shall be deemed to be the Agents of that Authority, and the Appointment of such Committee shall not relieve the Sewer Authority from any Obligation imposed on it by Act of Parliament or otherwise.

Formation of Special Drainage District.

5. Where the Sewer Authority of a District is a Vestry, Select Vestry, or other Body of Persons acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise as or instead of a Vestry or Select Vestry, it may, by Resolution at any Meeting convened for the Purpose after Twenty-one clear Days Notice affixed to the Places where Parochial Notices are usually affixed in its District, form any Part of such District into a Special Drainage District for the Purposes of the Sewage Utilization Act, and thereupon such Special Drainage District shall, for the Purposes

of

of The Sewage Utilization Act, 1865, and the Powers therein conferred, be deemed to be a Parish in which a Rate is levied for the Maintenance of the Poor, and of which a Vestry is the Sewer Authority, subject, as respects any Meeting of the Inhabitants thereof in Vestry, to the Act of the Fifty-eighth Year of the Reign of King George the Third, Chapter Sixty-nine, and the Acts amending the same; and any Officer or Officers who may from Time to Time be appointed by the Sewer Authority of such Special Drainage District for the Purpose shall have within that District all the Powers of levying a Rate for the Purpose of defraying the Expense of carrying the said Sewage Utilization Act into effect that they would have if such District were such Parish as aforesaid, and such Rate were a Rate for the Relief of the Poor, and they were duly appointed Overseers of such Parish.

Appeal against Constitution of Special Drainage District.

6. Where the Sewer Authority of any Place has formed a Special Drainage District in pursuance of this Act, if any Number of the Inhabitants of such Place, not being less than Twenty, feel aggrieved by the Formation of such District, or desire any Modification in its Boundaries, they may, by Petition in Writing under their Hands bring their Case under the Consideration of One of Her Majesty's Principal Secretaries of State, and the said Secretary of State may after due Investigation annul the Formation of the Special Drainage District or modify its Boundaries as he thinks just.

Evidence of Formation of Special Drainage District.

7. A Copy of the Resolution of a Sewer Authority forming a Special Drainage District shall be published by affixing a Notice thereof to the Church Door of the Parish in which the District is situate, or of the adjoining Parish if there be no Church in the said Parish, and by advertising Notice thereof in some Newspaper published or circulating in the County in which such District is situate; and the Production of a Newspaper containing such Advertisement, or a Certificate under the Hand of the Clerk or other Officer performing the Duties of Clerk, for the Time being of the Sewer Authority which passed the Resolution forming the District, shall be Evidence of the Formation of such District, and after the Expiration of Three Months from the Date of the Resolution forming the District, such District shall be presumed to have been duly formed, and no Objection to the Formation thereof shall be entertained in any legal Proceedings whatever.

Power to drain into Sewers of Sewer Authority.

8. Any Owner or Occupier of Premises within the District of a Sewer Authority shall be entitled to cause his Drains to empty into the Sewers of that Authority on condition of his giving such

Notice as may be required by that Authority of his Intention so to do, and of complying with the Regulations of that Authority in respect of the Mode in which the Communications between such Drains and Sewers are to be made, and subject to the Control of any Person who may be appointed by the Sewer Authority to superintend the making of such Communications; but any Person causing any Drain to empty into any Sewer of a Sewer Authority without complying with the Provisions of this Section shall incur a Penalty not exceeding Twenty Pounds, and it shall be lawful for the Sewer Authority to close any Communication between a Drain and Sewer made in contravention of this Section, and to recover in a summary Manner from the Person so offending any Expenses incurred by them under this Section.

Use of Sewers by Persons beyond District. 11 & 12 Vict. c. 63. ss. 48, 123.

9. Any Owner or Occupier of Premises beyond the Limits of the District of a Sewer Authority may cause any Sewer or Drain from such Premises to communicate with any Sewer of the Sewer Authority upon such Terms and Conditions as may be agreed upon between such Owner or Occupier and such Sewer Authority, or in case of Dispute may, at the Option of the Owner or Occupier, be settled by Two Justices or by Arbitration in manner provided by The Public Health Act, 1848, in respect of Matters by that Act authorized or directed to be settled by Arbitration.

Drainage of Houses.

10. If a Dwelling House within the District of a Sewer Authority is without a Drain or without such Drain as is sufficient for effectual Drainage, the Sewer Authority may by Notice require the Owner of such House within a reasonable Time therein specified to make a sufficient Drain emptying into any Sewer which the Sewer Authority is entitled to use, and with which the Owner is entitled to make a Communication, so that such Sewer be not more than One hundred Feet from the Site of the House of such Owner; but if no such Means of Drainage are within that Distance then emptying into such covered Cesspool or other Place not being under any House, as the Sewer Authority directs; and if the Person on whom such Notice is served fails to comply with the same, the Sewer Authority may itself, at the Expiration of the Time specified in the Notice, do the Work required, and the Expenses incurred by it in so doing may be recovered from such Owner in a summary Manner.

Supply of Water to District of Sewer Authority.

11. A Sewer Authority within its District shall have the same Powers in relation to the Supply of Water that a Local Board has within its District, and the Provisions of the Sections herein-after mentioned shall apply accordingly in the same Manner as if in such Provisions "Sewer Authority" were substituted for "Local Board

Board of Health" or "Local Board," and the District in such Provisions mentioned were the District of the Sewer Authority and not the District of the Local Board; that is to say, the Sections numbered from Seventy-five to Eighty both inclusive, of The Public Health Act, 1848, Sections Fifty-one, Fifty-two, and Fifty-three of The Local Government Act, 1858, and Section Twenty of The Local Government Act, 1858, Amendment Act, 1861.

The Sewer Authority may, if it think it expedient so to do, provide a Supply of Water for the Use of the Inhabitants of the District, by

(1.) Digging Wells;
(2.) Making and maintaining Reservoirs;
(3.) Doing any other necessary Acts;

and they may themselves furnish the same, or contract with any other Persons or Companies to furnish the same.

Expenses of Sewer Authority in supplying Water.

12. Any Expenses incurred by a Sewer Authority in or about the Supply of Water to its District, and in carrying into effect the Provisions herein-before in that Behalf mentioned, shall be deemed to be Expenses incurred by that Authority in carrying into effect The Sewage Utilization Act, 1865, and be payable accordingly.

Wells, &c. belonging to any Place vested in Sewer Authority, &c. 23 & 24 Vict. c. 77. s. 7.

13. All Property in Wells, Fountains, and Pumps, and Powers in relation thereto, vested in the Nuisance Authority by the Seventh Section of the Act passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-seven, shall vest in the Sewer Authority, where the Sewer Authority supplies Water to its District.

Proceedings where Sewer Authority in default.

14. Where Complaint is made to any Justice of the Peace that a Sewer Authority has made default in providing its District with sufficient Sewers or in the Maintenance of the existing Sewers, or in providing its District with a Supply of Water in Cases where Danger arises to the Health of the Inhabitants from the Insufficiency or Unwholesomeness of the existing Supply, and a proper Supply can be obtained at a reasonable Cost, the Justice shall issue a Summons to the Sewer Authority requiring such Authority to appear before the Justices at Petty Sessions, and at such Petty Sessions, unless the Sewer Authority undertake to remedy its Default to the Satisfaction of the Justices, and pay the Expenses properly incurred by the Complainant, the Justices shall direct the Sewer Authority to appear at some subsequent Petty Sessions to be then named, and shall either appoint some competent Person to inquire into the alleged Default, and report to them at such other

Petty Sessions, or fix a Day, previous to such Petty Sessions, at which Two or more of such Justices will themselves make such Inquiry.

At such last-mentioned Petty Sessions, if the Justices are satisfied, either by the Report of the Person so appointed, or by their own Inquiry, that the Sewer Authority has been guilty of the alleged Default, the Justices shall make an Order on the Sewer Authority limiting a Time for the Performance of its Duty in the Matter of such Complaint, and if such Duty is not performed by the Time limited in the Order, the Justices in Petty Sessions shall appoint some Person to perform the same, and shall by Order direct that the Expenses of performing the same, together with a reasonable Remuneration to the Person appointed for superintending such Performance, and amounting to a Sum specified in the Order, together with the Costs of the Proceedings, shall be paid by the Sewer Authority; and any Order made for the Payment of such Costs and Expenses may be removed into the Court of Queen's Bench, in the same Manner as if it were an Order of General or Quarter Sessions, and be enforced accordingly.

All Expenses directed to be paid by the Sewer Authority in pursuance of this Section shall be deemed to be Expenses incurred by that Authority for the Purposes of this Act, and shall be recovered accordingly.

In the event of the Sewer Authority appealing to Quarter Sessions in manner herein-after mentioned, the Order of the Justices shall be suspended until such Appeal has been determined.

Appeal to Quarter Sessions.

15. Where any Complaint is made to the Justices in pursuance of this Part of this Act in respect of any such Default as aforesaid made by any Sewer Authority, if the Complainant feels aggrieved by the Dismissal of his Complaint, or the Sewer Authority feels aggrieved by the Order of the Justices made in respect of such Complaint, the Party so aggrieved may appeal therefrom, subject to the Conditions and Regulations following:

The Appeal shall be made to the next practicable Court of General or Quarter Sessions held for the County or Place in which the Cause of Complaint has arisen:

The Appellant shall, within Four Days after the Cause of Appeal has arisen, give Notice to the other Party of his Intention to appeal, and of the Ground thereof:

The Appellant shall as soon as practicable after such Notice enter into a Recognizance before a Justice of the Peace with Two sufficient Sureties conditioned personally to try such Appeal, and to abide the Judgment of the Court thereon, and to pay such Costs as may be awarded by the Court:

The

The Court may adjourn the Appeal, and upon the Hearing thereof they may make such Order as they think just.

Power to refer Case to Arbitration.

16. If at any Time after such Notice of Appeal has been given and such Recognizance has been entered into as aforesaid, it appears to the Court of General or Quarter Sessions on the Application of either Party that the Matter in question in such Appeal consists wholly or in part of Engineering or other Questions which cannot be satisfactorily tried by the Court, it shall be lawful for such Court to order that such Matters, either wholly or in part, be referred to the Arbitration of One or more Persons to be appointed by the Parties, or in case of Disagreement by the Court, and the Award made on such Arbitration shall be enforceable by the same Process as the Order of the Court of Quarter Sessions.

17 & 18 Vict. c. 125. ss. to incorporated.

17. The Provisions of The Common Law Procedure Act, 1854, relating to compulsory References shall be deemed to extend to Arbitrations directed by the Court of Quarter Sessions in pursuance of this Act, and the Word "Court" in the said Act shall be deemed to include the Court of Quarter Sessions.

PART II.

Amendment of the Nuisances Removal Acts.

Definition of "Nuisances Removal Acts."

18. The Expression "Nuisances Removal Acts" shall mean the Acts passed in the Years following of the Reign of Her present Majesty, that is to say, the one in the Session of the Eighteenth and Nineteenth Years, Chapter One hundred and twenty-one, and the other in the Session of the Twenty-third and Twenty-fourth Years, Chapter Seventy-seven, as amended by this Part of this Act; and this Part of this Act shall be construed as One with the said Acts, and all Expenses incurred by a Nuisance Authority in carrying into effect any of the Provisions of this Part of this Act shall be deemed to be Expenses incurred by it in carrying into effect the Nuisances Removal Acts.

Definition of "Nuisance Authority."

19. "Nuisance Authority" shall mean any Authority empowered to execute the Nuisances Removal Acts.

Power of Police with respect to Nuisances.

20. In any Place within the Jurisdiction of a Nuisance Authority the Chief Officer of Police within that Place may institute any Proceeding which the Nuisance Authority of such Place might institute with respect to the Removal of Nuisances.

Repeal of 23 & 24 Vict. c. 77. s. 3.

21. The Third Section of the said Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-seven, shall be repealed, and all Powers vested in any Highway Board or "Nuisance Removal Committee" under the Nuisances Removal Acts shall determine, and all Property belonging to them for the Purposes of the said Nuisances Removal Acts shall, subject to any Debts or Liabilities affecting the same, be transferred to or vested in the Nuisance Authority under the said Acts: Provided always, that this Section shall not extend to any Vestry or District Board, under the Act of the Session of Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, intituled "An Act for "the better Local Management of the Metropolis," or to any Committee appointed by such Vestry or District Board for the Purpose of carrying into effect the Nuisances Removal Acts, or any of them.

Clause A. Requisition of Ten Inhabitants equivalent to Certificate of Medical Officer.

22. A Requisition in Writing under the Hands of any Ten Inhabitants of a Place shall for the Purposes of the Twenty-seventh Section of "The Nuisances Removal Act for England, 1855," be deemed to be equivalent to the Certificate of the Medical Officer or Medical Practitioners therein mentioned, and the said Section shall be enforced accordingly.

Addition to Definition of Nuisance.

23. The Word "Nuisances" under the Nuisance Removal Acts shall include,

1. Any House or Part of a House so overcrowded as to be dangerous or prejudicial to the Health of the Inmates:

2. Any Factory, Workshop, or Workplace not already under the Operation of any General Act for the Regulation of Factories or Bakehouses, not kept in a cleanly State, or not ventilated in such a Manner as to render harmless as far as practicable any Gases, Vapours, Dust, or other Impurities generated in the course of the Work carried on therein, that are a Nuisance or injurious or dangerous to Health, or so overcrowded while Work is carried on as to be dangerous or prejudicial to the Health of those employed therein:

3. Any Fireplace or Furnace which does not consume its own Smoke, and is used within the District of a Nuisance Authority for working Engines by Steam, or in any Mill, Factory, Dyehouse, Brewery, Bakehouse, or Gaswork, or in any Manufactory or Trade Process whatsoever:

4. Any

Any Chimney sending forth Black Smoke in such Quantity as to be a Nuisance :

Provided, first, that in Places where at the Time of the passing of this Act no Enactment is in force compelling Fireplaces or Furnaces to consume their own Smoke, the foregoing Enactment as to Fireplaces and Furnaces consuming their own Smoke shall not come into operation until the Expiration of One Year from the Date of the passing of this Act :

Secondly, that where a Person is summoned before the Justices in respect of a Nuisance arising from a Fireplace or Furnace which does not consume its own Smoke, the Justices may hold that no Nuisance is created within the Meaning of this Act, and dismiss the Complaint, if they are satisfied that such Fireplace or Furnace is constructed in such Manner as to consume as far as possible all Smoke arising therefrom, and that such Fireplace or Furnace has been carefully attended to by the Person having the Charge thereof, and that the Smoke therefrom has, so far as is possible, been, in fact, consumed.

CLAUSE B.
Repeal of s. 29. of 18 & 19 Vict. c. 121.

24. The Twenty-ninth Section of the Act of the Session of the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty-one, shall be repealed.

Duties of Nuisance Authorities as to Inspection of Nuisances, &c.

25. It shall be the Duty of the Nuisance Authority to make from Time to Time, either by itself or its Officers, Inspection of the District, with a view to ascertain what Nuisances exist calling for Abatement under the Powers of the Nuisance Removal Acts, and to enforce the Provisions of the said Acts in order to cause the Abatement thereof; also to enforce the Provisions of any Act that may be in force within its District requiring Fireplaces and Furnaces to consume their own Smoke; and any Justice may make an Order to admit the Nuisance Authority for these Purposes as well as to ground Proceedings under the Eleventh Section of The Nuisances Removal Act, 1855.

Proceedings of Nuisance Authority.
18 & 19 Vict. c. 121. s. 12.

26. The Nuisance Authority or Chief Officer of Police may, previous to taking Proceedings before a Justice under the Twelfth Section of The Nuisances Removal Act, 1855, serve a Notice on the Person by whose Act, Default, or Sufferance the Nuisance arises or continues, or, if such Person cannot be found or ascertained, on the Owner or Occupier of the Premises on which the Nuisance arises, to abate the same, and for that Purpose to execute such Works and to do all such Things as may be necessary within a Time to be specified in the Notice: Provided

First, that where the Nuisance arises from the Want or defective Construction of any structural Convenience, or where there is no

no Occupier of the Premises, Notice under this Section shall be served on the Owner:

Secondly, that where the Person causing the Nuisance cannot be found, and it is clear that the Nuisance does not arise or continue by the Act, Default, or Sufferance of the Owner or Occupier of the Premises, then the Nuisance Authority may itself abate the same without further Order, and the Cost of so doing shall be Part of the Costs of executing the Nuisances Removal Acts, and borne accordingly.

On Complaint of Neglect of Duty of Nuisance Authority in abating Nuisances, Justices may enforce such Duty.

27. Where a Complaint is made to any Justice of the Peace that the Nuisance Authority has neglected to take Proceedings for abating a Nuisance in respect of which it is its Duty to enforce the Provisions of the Nuisances Removal Acts, the Justice shall issue a Summons to the Nuisance Authority, requiring such Authority to appear before the Justices in some Petty Sessions in the Summons mentioned, to show Cause why it has not taken Proceedings to abate the Nuisance; and at such Petty Sessions, unless the Nuisance Authority shows Cause to the Satisfaction of the Justices why it has not taken such Proceedings, the Justices shall make an Order on the Nuisance Authority, directing it to pay the Costs of the Complaint, and to take the Proceedings necessary for abating the Nuisance within a Time to be named in the Order.

If the Nuisance Authority makes default in taking Proceedings to abate the Nuisance within the Time mentioned in the Order, or fails to prosecute such Proceedings with due Diligence, the Justices may, on further Complaint made to them of the Neglect or Failure of the Nuisance Authority, make an Order empowering the Complainant to take such Proceedings as he may be advised for abating the Nuisance, and all Costs, Charges, and Expenses incurred by the Complainant in taking such Proceedings shall be repaid to him by the Nuisance Authority out of the Rate applicable to the Payment of Expenses incurred under the Nuisances Removal Acts, and in default of Payment may be recovered in a summary Manner.

Where any Complaint is made to Justices in pursuance of this Section, if the Complainant feels aggrieved by the Dismissal of his Complaint, or the Nuisance Authority feels aggrieved by the Order of the Justices, the Party aggrieved may appeal therefrom to General or Quarter Sessions in the same Manner and subject to the same Conditions and Regulations in and subject to which a Party aggrieved is empowered to appeal to such Sessions under the First Part of this Act.

Power to cause Premises to be

28. If it appear to the Nuisance Authority, upon the Certificate of any legally qualified Medical Practitioner, that the cleansing, lime-

washing, or otherwise disinfecting of any House or Part thereof would tend to prevent or check infectious or contagious Disease, the Nuisance Authority may cause the same and any Articles therein likely to retain Infection to be disinfected at the Expense of such Authority, or they may give Notice in Writing requiring the Owner or Occupier of such House or Part thereof to cleanse, limewash, or otherwise disinfect the same, as the Case may require; and if the Person to whom Notice is so given fail to comply therewith within the Time specified in the Notice, he shall be liable to a Penalty of not less than One Shilling and not exceeding Ten Shillings for every Day during which he continues to make default; and the Nuisance Authority may, if it think fit, cause such House or Part thereof to be cleansed, limewashed, or otherwise, and may recover the Expenses incurred from the Owner or Occupier in default in a summary Manner.

cleansed, limewashed, or otherwise disinfected.

29. It shall be lawful at all Times for the Nuisance Authority to provide and maintain a Carriage or Carriages suitable for the Conveyance of Persons suffering under any contagious or infectious Disease, and to pay the Expense of conveying any Person therein to a Hospital or Place for the Reception of the Sick or to his own Home.

Nuisance Authorities may provide Carriages for Conveyance of infected Persons.

30. Where a Hospital or Place for the Reception of the Sick is provided within the District of a Nuisance Authority, any Justice may, with the Consent of the Superintending Body of such Hospital or Place, by Order on a Certificate signed by a legally qualified Medical Practitioner, direct the Removal to such Hospital or Place for the Reception of the Sick, at the Cost of the Nuisance Authority, of any Person suffering from any dangerous contagious or infectious Disorder, being without Lodging or Accommodation, or lodged in a Room occupied by more than One Family.

Removal of Persons sick of infectious Disorders, and without proper Lodging, in any District.

31. Any Nuisance Authority may provide a proper Place for the Reception of dead Bodies, and where any such Place has been provided and any dead Body of one who has died of any infectious Disease is retained in a Room in which Persons live or sleep, or any dead Body which is in such a State as to endanger the Health of the Inmates of the same House or Room is retained in such House or Room, any Justice may, on a Certificate signed by a legally qualified Medical Practitioner, order the Body to be removed to such proper Place of Reception, at the Cost of the Nuisance Authority.

Places for the Reception of dead Bodies may be provided at the Public Expense.

32. The Power of Entry given to the Authorities by the Eleventh Section of The Nuisances Removal Act, 1855, may be exercised at

Power of Entry to Nuisance

Authority or their Officer. 18 & 19 Vict. c. 121. c. 11.

at any Hour when the Business in respect of which the Nuisance arises is in progress or is usually carried on.

And any Justices Order once issued under the said Section shall continue in force until the Nuisance has been abated, or the Work for which the Entry was necessary has been done.

Provision as to Ships within the Jurisdiction of Nuisance Authority.

33. Any Ship or Vessel lying in any River, Harbour, or other Water shall be subject to the Jurisdiction of the Nuisance Authority of the District within or near to which such River, Harbour, or other Water is, and be within the Provisions of the Nuisances Removal Acts in the same Manner as if it were a House within such Jurisdiction, and the Master or other Officer in charge of such Ship shall be deemed for the Purposes of the Nuisances Removal Acts to be the Occupier of such Ship or Vessel; but this Section shall not apply to any Ship or Vessel belonging to Her Majesty or to any Foreign Government.

PART III.

Miscellaneous.

In Cities, Boroughs, or Towns, Secretary of State, on Application of Nuisance Authority, may empower them to make Regulations as to Lodging Houses.

34. On Application to One of Her Majesty's Principal Secretaries of State by the Nuisance Authority of the City of London, or any District or Parish included within the Act for the better Local Government of the Metropolis, or of any Municipal Borough, or of any Place under The Local Government Act, 1858, or any Local Improvement Act, or of any City or Town containing, according to the Census for the Time being in force, a Population of not less than Five thousand Inhabitants, the Secretary of State may, as he may think fit, by Notice to be published in the London Gazette, declare the following Enactment to be in force in the District of such Nuisance Authority, and from and after the Publication of such Notice the Nuisance Authority shall be empowered to make Regulations for the following Matters; that is to say,

1. For fixing the Number of Lodgings which may be separately let or occupied in any House let in separate Lodgings within the District, and for fixing the Number of Persons who may occupy any such Lodgings:
2. For the Registration of Houses thus let in Lodgings:
3. For the Inspection of such Houses, and the keeping the same in a cleanly and wholesome State:
4. For enforcing therein the Provision of Privy Accommodation and other Appliances and Means of Cleanliness in proportion

to

to the Number of Lodgings and Occupiers, and the cleansing and Ventilation of the common Passages and Staircases:

5. For the cleansing and lime-whiting at stated Times of such Premises:

The Nuisance Authority may provide for the Enforcement of the above Regulations by Penalties not exceeding Forty Shillings for any One Offence, with an additional Penalty not exceeding Twenty Shillings for every Day during which a Default in obeying such Regulations may continue.

But this Section shall not apply to Common Lodging Houses within the Provisions of The Common Lodging Houses Act, 1851, or any Act amending the same.

Power to provide Hospitals.

35. The Sewer Authority or Nuisance Authority may provide for the Use of the Inhabitants within its District either permanent Hospitals or temporary Places for the Reception of the Sick.

Such Authority may itself build such Hospitals or Places of Reception, or make Contracts for the Use of any existing Hospital or Part of a Hospital, or for the temporary Use of any Place for the Reception of the Sick.

It may enter into any Agreement with any Person or Body of Persons having the Management of any Hospital for the Reception of the sick Inhabitants of its District, on Payment by the Sewer Authority of such annual or other Sum as may be agreed upon.

The carrying into effect this Section shall in the Case of a Sewer Authority be deemed to be One of the Purposes of the said Sewage Utilization Act, 1865, and all the Provisions of the said Act shall apply accordingly.

Where the Nuisance Authority is a Board of Guardians, the Sanction of the Poor Law Board must be obtained to any Exercise by that Authority of the Powers given by this Section.

Penalty on any Person, with infectious Disorder, exposing himself, or on any Person in charge of such Sufferer causing such Exposure.

36. Any Person suffering from any dangerous infectious Disorder who wilfully exposes himself, without proper Precaution against spreading the said Disorder, in any Street, public Place, or public Conveyance, and any Person in charge of one so suffering who so exposes the Sufferer, and any Owner or Driver of a public Conveyance who does not immediately provide for the Disinfection of his Conveyance after it has, with the Knowledge of such Owner or Driver, conveyed any such Sufferer, and any Person who without previous Disinfection gives, lends, sells, transmits, or exposes any Bedding, Clothing, Rags, or other Things which have been exposed to Infection from such Disorders, shall on Conviction of such Offence before any Justice be liable to a Penalty not exceeding Five Pounds: Provided that no Proceedings under this Section shall

be taken against Persons transmitting with proper Precautions any such Bedding, Clothing, Rags, or other Things for the Purpose of having the same disinfected.

CLAUSE C.
Penalty on Persons letting Houses in which infected Persons have been lodging.

37. If any Person lets any House, Room, or Part of a House, in which any Person suffering from any dangerous infectious Disorder has been, to any other Person without having such House, Room, or Part of a House, and all Articles therein liable to retain Infection, disinfected to the Satisfaction of a qualified Medical Practitioner as testified by a Certificate given by him, such Person shall be liable to a Penalty not exceeding Twenty Pounds. For the Purposes of this Section the Keeper of an Inn shall be deemed to let Part of a House to any Person admitted as a Guest into such Inn.

Guardians and Overseers of the Poor to be the Local Authorities for executing Diseases Prevention Act.

38. Where in any Place Two or more Boards of Guardians have Jurisdiction, the Privy Council may, by any Order made under The Diseases Prevention Act, 1855, authorize or require such Boards to act together for the Purposes of that Act, and may prescribe the Mode of such joint Action and of defraying the Costs thereof.

Evidence of Family in case of overcrowded Houses.

39. In any Proceedings under The Common Lodging Houses Act, 1851, or any other Enactment relating to the overcrowding of Houses, if the Inmates of any House or Part of a House allege that they are Members of the same Family, the Burden of proving such Allegation shall lie on the Persons making it.

Extension to the whole of England and Ireland of 11 & 12 Vict. c. 63. s. 67.

40. The Sixty-seventh Section of The Public Health Act, 1848, relating to Cellar Dwellings shall apply to every Place in England and Ireland where, such Dwellings are not regulated by any other Act of Parliament, and in applying that Section to Places where it is not in force at the Time of the passing of this Act the Expression "this Act" shall be construed to mean the "Sanitary Act, 1866," and not the said Public Health Act, 1848. In construing the said Sixty-seventh Section as applied by this Act Nuisance Authority shall be substituted for the Local Board.

Local Board in certain Cases may adopt Baths and Washhouses Acts.

41. Local Boards acting in execution of The Local Government Act, 1858, may adopt the Act to encourage the Establishment of public Baths and Wash-houses, and any Act amending the same, for Districts in which those Acts are not already in force, and when they have adopted the said Acts they shall have all the Powers, Duties, and Rights of Commissioners under the said Acts; and all Expenses incurred by any Local Board in carrying into execution the Acts referred to in this Section shall be defrayed out of the General

General District Rates, and all Receipts by them under the said Acts shall be carried to the District Fund Account.

CLAUSE D.

Power to Burial Boards in certain Cases to transfer their Powers to Local Board.

42. When the District of a Burial Board is conterminous with the District of a Local Board of Health, the Burial Board may, by Resolution of the Vestry, and by Agreement of the Burial Board and Local Board, transfer to the Local Board all their Estate, Property, Rights, Powers, Duties, and Liabilities, and from and after such Transfer the Local Board shall have all such Estate, Property, Rights, Powers, Duties, and Liabilities as if the Local Board had been appointed a Burial Board by Order in Council under the Fourth Section of the Act of the Session of the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Eighty-one.

Penalty for wilful Damage of Works.

43. If any Person wilfully damages any Works or Property belonging to any Local Board, Sewer Authority, or Nuisance Authority, he shall be liable to a Penalty not exceeding Five Pounds.

Incorporation of Sanitary Authorities.

44. The following Bodies, that is to say, Local Boards, Sewer Authorities, and Nuisance Authorities, if not already incorporated, shall respectively be Bodies Corporate designated by such Names as they may usually bear or adopt, with Power to sue and be sued in such Names, and to hold Lands for the Purposes of the several Acts conferring Powers on such Bodies respectively in their several Characters of Local Boards, Sewer Authorities, or Nuisance Authorities.

Appearance of Local Authorities in legal Proceedings.

45. Any Local Board, Sewer Authority, or Nuisance Authority may appear before any Justice or Justices, or in any legal Proceeding, by its Clerk or by any Officer or Member authorized generally or in respect of any special Proceeding by Resolution of such Board or Authority.

Recovery of Penalties.

46. Penalties under this Act, and Expenses directed to be recovered in a summary Manner, may be recovered before Two Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen Victoria, Chapter Forty-three, intituled "An Act to "facilitate the Performance of the Duties of Justices of the Peace "out of Sessions within England and Wales with respect to summary "Convictions and Orders," or any Act amending the same.

Powers of Act cumulative.

47. All Powers given by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on any Local Authority by Act of Parliament, Law, or Custom; and such

Authority may exercise such other Powers in the same Manner as if this Act had not passed.

PART IV.

Application of Act to Ireland.

Modifications necessary for Application of Part I. to Ireland.

48. In applying the First Part of this Act to Ireland, the following Changes shall be observed:

(1.) An Appeal against the Constitution of a Special Drainage District shall, in Ireland, be made to, and the Power of annulling the Formation of a Special District and of modifying its Boundaries vested in, the Lord Lieutenant in Council:

(2.) The Provisions of the Sections numbered from Seventy-five to Eighty, both included, of The Public Health Act, 1848, and Sections Fifty-one, Fifty-two, and Fifty-three of The Local Government Act, 1858, and Section Twenty of The Local Government Act, 1858, Amendment Act, 1861, referred to in the First Part of this Act, shall for all Purposes connected with the Execution of this Act be extended to Ireland:

(3.) The Words Lord Lieutenant in Council shall mean in this Act, the Lord Lieutenant or any Chief Governor or Chief Governors in Ireland acting by and with the Consent of Her Majesty's Privy Council in Ireland:

(4.) The Sewage Utilization Act, 1865, shall be amended by substituting in Ireland the Sewer Authority, as defined by the First Schedule to this Act, for the Sewers Authority as defined by said Act:

(5.) The Provisions of the Common Law Procedure (Ireland) Amendment Act, 1856, relating to compulsory References, shall be deemed to extend to Arbitrations directed by the Court of Quarter Sessions in Ireland in pursuance of this Act, and the Word Court in the said Act shall be deemed to include the Court of Quarter Sessions in Ireland.

Modifications necessary for Application of Part II. to Ireland.

49. The Nuisance Removal Acts as amended by the Second Part of this Act shall apply to Ireland; provided, however, that in such Application the following Changes shall be observed:

(1.) Sewer Authority as defined by the Sewage Utilization Act, 1865, and amended by this Act, shall in Ireland be the Nuisance Authority for executing the Nuisance Removal Acts:

(2.) The

(2.) The Expenses of executing the Nuisance Removal Acts shall be defrayed out of the Funds herein-after provided:

(3.) The Penalties shall be recovered in the Manner herein-after provided:

(4.) The Expressions "Mayor, Aldermen, and Burgesses," "Council," "Borough Rate," "Borough Fund," and "Town Rate," shall in the First Schedule hereto have respectively the same Meaning as in the Acts for the Regulation of Municipal Corporations in Ireland:

(5.) For the Purposes of the Twenty-second Section of The Nuisance Removal Act, 1855, the Nuisance Authority shall in Ireland have the Power of entering Land conferred by The Sewage Utilization Act, 1865, and shall have the same Power of levying Assessments under the said Section that they have of levying any other Rates they are authorized by Law to impose.

How Expenses to be defrayed in Ireland when Nuisance Authority not a Board of Guardians.

50. In Ireland, the Nuisance Authority, not being the Guardians of the Poor, shall pay all Expenses incurred by them in carrying the Nuisance Removal Acts into effect, out of the Fund in the First Schedule in that Behalf mentioned; and where such Fund arises wholly or in part from Rates, shall have, in addition to their existing Powers of Rating, all such Powers for making and levying any extra Rate, if necessary, respectively, as in the Case of any Rate authorized to be made under the Provisions of the respective Acts of Parliament under which the Nuisance Authorities are constituted or authorized to levy Rates; and all Provisions of such Acts respectively shall be applicable in respect thereof; provided that when the Rates to be assessed by such Authority are limited by Law to a certain rateable Amount, such Limitation shall not apply or extend to Expenses incurred in carrying this Act into execution; and it shall be lawful for such Authority to assess the Expenses under this Act in addition to such limited Assessment.

When Board of Guardians is Nuisance Authority, how Expenses to be defrayed in Ireland.

51. In Ireland, a Nuisance Authority, being Guardians of the Poor, shall pay all Expenses incurred by them in carrying this Act into effect out of the Poor Rates of the Union, and charge the same to the Union, or any Electoral Division or Electoral Divisions thereof, in such Manner as the Poor Law Commissioners shall from Time to Time, by general Orders applicable to Classes of Cases, or by Order in any particular Case direct.

Recovery of Penalties in Ireland.

52. In Ireland, Penalties under this Act and Expenses or Compensation directed to be recovered in a summary Manner, and Nuisances and other Offences liable to be prosecuted summarily,

shall be recovered and prosecuted in manner directed by the Petty Sessions (Ireland) Act, 1851, or any Act amending the same; and all Penalties recovered by any Authority under this Act shall be paid to them respectively, and by them applied in aid of their Expenses under this Act.

Any Order authorized to be made by Justices under this Act shall be deemed to be an Order made upon a Complaint on which Justices are authorized to make Orders under the last-mentioned Act.

Modifications necessary for Application of Part III. to Ireland.

53. In applying the Provisions of Part III. of this Act to Ireland the following Changes shall be observed:

(1.) Applications for Power to make Regulations as to Lodging Houses may be made by any Nuisance Authority, except a Board of Guardians, and shall be made to the Lord Lieutenant in Council, and the said Lord Lieutenant in Council shall have the Power of declaring the Enactments as to Lodging Houses in the Third Part of this Act to be in force in any Nuisance District:

(2.) The said Lord Lieutenant in Council shall have and exercise the Power, in respect of Boards of Guardians acting together, vested in the Privy Council by the said Third Part of this Act:

(3.) In Ireland, any Nuisance Authority, except a Board of Guardians, may exercise the Powers conferred on Local Boards acting in the Execution of The Local Government Act, 1858, by the said Third Part of this Act:

(4.) Sewer and Nuisance Authorities in Ireland shall be incorporated for the Purposes of this Act by the Names set forth in the said First Schedule hereto; and such Sewer or Nuisance Authorities may hold Lands by such Names for the Purposes of Burial Ground (Ireland) Act, 1856:

(5.) The Penalties under the Third Part of this Act shall be recovered in like Manner as herein-before provided with respect to Penalties under the Second Part of this Act.

Modifications necessary for Application of Disease Prevention Act to Ireland.

54. The Diseases Prevention Act, 1855, as amended by the Nuisance Removal and Disease Prevention Amendment Act, 1860, and this Act, shall extend to Ireland: Provided, however, that in such Application the following Changes shall be observed:

(1.) The Lord Lieutenant in Council shall have the Power with respect to Ireland which the Privy Council has under such Provisions for Prevention of Disease in England:

(2.) The Commissioners for administering the Laws for the Relief of the Poor in Ireland, herein-after called the Poor Law Commissioners, shall be the Authority in Ireland for issuing

issuing Regulations to carry the Provisions of said Act into effect:

(3.) The Regulations of the Poor Law Commissioners shall be authenticated in like Manner as Orders of theirs under the Dispensary Act, 1851, Stat. 15 & 16 Vict. c. 68. Sect. 8.:

(4.) In defraying the Expenses of the Prevention of Disease out of the Poor Rate of the Union under this Act the Guardians of the Poor shall charge the same to the Union, or any Dispensary District or Electoral Division or Divisions thereof, in such Manner as the Poor Law Commissioners shall from Time to Time, by General Orders applicable to Classes of Cases, or by Orders in particular Cases direct.

Committee and Officers under Dispensaries Act to aid Local Authority in execution of this Act.

55. In Ireland, all Committees, Inspectors, Medical Officers, and other Persons appointed or employed under the Powers of Statute Fourteenth and Fifteenth Victoria, Chapter Sixty-eight, (the Dispensaries Act, 1851), shall, and they are hereby required within their respective Districts to aid the Local Authority, and such Officers or Persons as they shall appoint or employ in the Superintendence and Execution of any Directions and Regulations which may at any Time be issued by the Poor Law Commissioners for the Time being, under the Authority and by virtue of this Act.

The Provisions of the Dispensary Act, 1851, as to Duties and Appointment of Medical Inspectors in Ireland, incorporated with this Act.

56. In Ireland, the Provisions of The Dispensary Act, 1851 (Statute 14 & 15 Vict. c. 68.), with respect to the Duties and Appointment of Medical Inspectors, shall be incorporated with this Act, and the Prevention of Disease and Inquiry into Public Health under this Act shall be deemed One of the Purposes for which such Medical Inspectors have been or may be appointed, in like Manner as if its Provisions had been referred to in the said Act of 1851, instead of the Provisions of the said Nuisance Removal and Diseases Prevention Act of 1848.

Remuneration to Medical Practitioners for Services under the Directions and Regulations of the Poor Law Commissioners in Ireland.

57. In Ireland, whenever in compliance with any Direction or Regulation of the Poor Law Commissioners, which they may be empowered to make under the Laws for the Time being as to the Public Health, any Medical Officer of a Union or Dispensary District, or any other Medical Practitioner specially employed by the Guardians for the Purpose, shall perform any extra Medical Service in any Union or Part of a Union, it shall and may be lawful for the Guardians of the Union to determine, subject to the Approval of the said Commissioners, and if they shall not approve the Amount determined by the Guardians, for the said Commissioners to fix by Order under their Seal, such Remuneration, proportioned to the

Nature and Extent of such Services as aforesaid, as to them shall appear just and reasonable; and the Amount of such Remuneration shall be paid to such Medical Officer or other Medical Practitioner by the Guardians of the Union, out of the Rates raised for the Relief of the Poor, and shall be charged either to the Union at large, or to such Part or Parts of the Union, according to the Nature of the Case, as the said Commissioners shall in each Case direct.

CLAUSE E. Poor Law Commissioners to make Inquiries as to Public Health in Ireland.

58. The Lord Lieutenant in Council may from Time to Time direct the Poor Law Commissioners to cause to be made such Inquiries as the Lord Lieutenant in Council see fit in relation to any Matters concerning the Public Health in any Place or Places in Ireland, and the Poor Law Commissioners shall report the Result of such Inquiries to the Lord Lieutenant in Council.

CLAUSE F. Publication in Ireland to be made in Dublin Gazette.

59. Publication shall be made in the Dublin Gazette in any Case in Ireland where Publication in the London Gazette is required in England.

Repeal of Statutes applicable to Ireland.

60. From and after the passing of this Act the Acts set forth in the Second Schedule hereto shall be repealed, so far as they are still in force: Provided always, that all Proceedings commenced or taken under the said Acts and not yet completed may be proceeded with under said Acts, and that all Contracts and Works undertaken by virtue of said Acts shall continue and be effective as if said Acts had not been repealed.

SCHE-

SCHEDULES.

FIRST SCHEDULE.

Application to Ireland.

Description of Sewers and Nuisance Authority in Ireland.	Description of Sewers and Nuisance District in Ireland.	Corporate Name, for the Purpose of suing or being sued, or holding Property, under the Provisions of this Act.	Rate or Fund out of which Expenses incurred by Sewers or Nuisance Authority under this Act to be defrayed.
The Right Honorable the Lord Mayor, Alderman, and Burgesses, acting by the Town Council.	The City of Dublin.	The Right Honorable the Lord Mayor, Aldermen, and Burgesses of the City of Dublin.	The Borough Rate or Borough Fund.
The Mayor, Aldermen, and Burgesses, acting by the Town Council.	Towns Corporate, with Exception of Dublin.	The Mayor, Aldermen, and Burgesses of the City or Town of——	The Borough Rate or Borough Fund.
The Town Commissioners.	Towns having Town Commissioners, under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 113), or under any Local Act.	The Town Commissioners of ——	Any Rate levied by the Commissioners.
The Township Commissioners.	Townships having Commissioners under Local Acts.	The Township Commissioners of ——	
The Commissioners appointed by virtue of an Act made in the 9th Year of the Reign of George the Fourth, intituled "An Act to make Provision for the lighting, cleansing, and watching of Cities and Towns Corporate, and Market Towns in Ireland, in certain Cases."	Towns under such Commissioners.	The Lighting and Cleansing Commissioners of the Town of ——	
The Municipal Commissioners.	Towns having Municipal Commissioners, under 3 & 4 Vict. c. 108.	The Municipal Commissioners of ——	The Town Fund.
The Guardians of the Poor of each Union.	Such Part of each Union as is not under another Sewer or Nuisance Authority.	The Guardians of the Poor of the —— Union.	The Poor Rate of Union.

SECOND SCHEDULE.

Statutes repealed.

Local Boards of Health Act for Ireland, 1818; Statute 58 Geo. 3. c. 47. ss. 10 to 15, inclusive.

Officers of Health Act for Ireland, 1819; Statute 59 Geo. 3. c. 41.

Nuisance Removal and Disease Prevention Act, 1848.

Nuisance Removal and Disease Prevention Act, 1849.

Public Health.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To amend the Law relating to the Public Health.

(Prepared and brought in by Mr. Bruce, Mr. Chichester Fortescue, and Sir G. Grey.)

Ordered, by The House of Commons, *to be Printed,* 29 *June* 1866.

[Bill 202.] *Under* 4 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE AND ON RE-COMMITMENT]

TO

Amend the Law relating to the Public Health.

WHEREAS it is expedient to amend the Law relating to Public Health: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Preliminary.

1. This Act may be cited for all Purposes as The Sanitary Act, 1866. Short Title of Act.

PART I.

Amendment of the Sewage Utilization Act, 1865.

2. "Sewer Authority" in this Act shall have the same Meaning as it has in The Sewage Utilization Act, 1865. Definition of "Sewer Authority:"

The Words "Lord Lieutenant in Council" shall mean in this Act the Lord Lieutenant or any Chief Governor or Chief Governors in Ireland acting by and with the Consent of Her Majesty's Privy Council in Ireland. "Lord Lieutenant in Council."

Construction of this Part of Act.

3. This Part of this Act shall be construed as One with The Sewage Utilization Act, 1865, and the Expression "The Sewage Utilization Act, 1865," as used in this or any other Act of Parliament or other Document shall mean the said Sewage Utilization Act, 1865, as amended by this Act.

Power to Sewer Authority to form Committee of its own Members and others.

4. Any Sewer Authority may from Time to Time, at any Meeting specially convened for the Purpose, form One or more Committee or Committees consisting wholly of its own Members, or partly of its own Members and partly of such other Persons contributing to the Rate or Fund out of which the Expenses incurred by such Authority are paid, and qualified in such other Manner as the Sewer Authority may determine, and may delegate, with or without Conditions or Restrictions, to any Committee so formed, all or any Powers of such Sewer Authority, and may from Time to Time revoke, add to, or alter any Powers so given to a Committee.

A Committee may elect a Chairman of its Meetings. If no Chairman is elected, or if the Chairman elected is not present at the Time appointed for holding the same, the Members present shall choose One of their Number to be Chairman of such Meeting. A Committee may meet and adjourn as it thinks proper. The Quorum of a Committee shall consist of such Number of Members as may be prescribed by the Sewer Authority that appointed it, or, if no Number be prescribed, of Three Members. Every Question at a Meeting shall be determined by a Majority of Votes of the Members present, and voting on that Question; and in case of an equal Division of Votes the Chairman shall have a Second or Casting Vote.

The Proceedings of a Committee shall not be invalidated by any Vacancy or Vacancies amongst its Members.

A Sewer Authority may from Time to Time add to or diminish the Number of the Members or otherwise alter the Constitution of any Committee formed by it, or dissolve any Committee.

A Committee of the Sewer Authority shall be deemed to be the Agents of that Authority, and the Appointment of such Committee shall not relieve the Sewer Authority from any Obligation imposed on it by Act of Parliament or otherwise.

Formation of Special Drainage District.

5. Where the Sewer Authority of a District is a Vestry, Select Vestry, or other Body of Persons acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise as or instead of a Vestry or Select Vestry, it may, by Resolution at any Meeting convened for the Purpose after Twenty-one clear Days Notice affixed to the Places where Parochial Notices are usually affixed in its District, form any Part of such District into a Special Drainage

Drainage District for the Purposes of the Sewage Utilization Act, and thereupon such Special Drainage District shall, for the Purposes of The Sewage Utilization Act, 1865, and the Powers therein conferred, be deemed to be a Parish in which a Rate is levied for the Maintenance of the Poor, and of which a Vestry is the Sewer Authority, subject, as respects any Meeting of the Inhabitants thereof in Vestry, to the Act of the Fifty-eighth Year of the Reign of King George the Third, Chapter Sixty-nine, and the Acts amending the same; and any Officer or Officers who may from Time to Time be appointed by the Sewer Authority of such Special Drainage District for the Purpose shall have within that District all the Powers of levying a Rate for the Purpose of defraying the Expense of carrying the said Sewage Utilization Act into effect that they would have if such District were such Parish as aforesaid, and such Rate were a Rate for the Relief of the Poor, and they were duly appointed Overseers of such Parish.

Appeal against Constitution of Special Drainage District.

6. Where the Sewer Authority of any Place has formed a Special Drainage District in pursuance of this Act, if any Number of the Inhabitants of such Place, not being less than Twenty, feel aggrieved by the Formation of such District, or desire any Modification in its Boundaries, they may, by Petition in Writing under their Hands bring their Case under the Consideration of One of Her Majesty's Principal Secretaries of State, and the said Secretary of State may after due Investigation annul the Formation of the Special Drainage District or modify its Boundaries as he thinks just.

Evidence of Formation of Special Drainage District.

7. A Copy of the Resolution of a Sewer Authority forming a Special Drainage District shall be published by affixing a Notice thereof to the Church Door of the Parish in which the District is situate, or of the adjoining Parish if there be no Church in the said Parish, and by advertising Notice thereof in some Newspaper published or circulating in the County in which such District is situate; and the Production of a Newspaper containing such Advertisement, or a Certificate under the Hand of the Clerk or other Officer performing the Duties of Clerk, for the Time being of the Sewer Authority which passed the Resolution forming the District, shall be Evidence of the Formation of such District, and after the Expiration of Three Months from the Date of the Resolution forming the District, such District shall be presumed to have been duly formed, and no Objection to the Formation thereof shall be entertained in any legal Proceedings whatever.

Power to drain into Sewers of Sewer Authority.

8. Any Owner or Occupier of Premises within the District of a Sewer Authority shall be entitled to cause his Drains to empty into the

the Sewers of that Authority on condition of his giving such Notice as may be required by that Authority of his Intention so to do, and of complying with the Regulations of that Authority in respect of the Mode in which the Communications between such Drains and Sewers are to be made, and subject to the Control of any Person who may be appointed by the Sewer Authority to superintend the making of such Communications; but any Person causing any Drain to empty into any Sewer of a Sewer Authority without complying with the Provisions of this Section shall incur a Penalty not exceeding Twenty Pounds, and it shall be lawful for the Sewer Authority to close any Communication between a Drain and Sewer made in contravention of this Section, and to recover in a summary Manner from the Person so offending any Expenses incurred by them under this Section.

Use of Sewers by Persons beyond District. 11 & 12 Vict. c. 63. ss. 48, 123.

9. Any Owner or Occupier of Premises beyond the Limits of the District of a Sewer Authority may cause any Sewer or Drain from such Premises to communicate with any Sewer of the Sewer Authority upon such Terms and Conditions as may be agreed upon between such Owner or Occupier and such Sewer Authority, or in case of Dispute may, at the Option of the Owner or Occupier, be settled by Two Justices or by Arbitration in manner provided by The Public Health Act, 1848, in respect of Matters by that Act authorized or directed to be settled by Arbitration.

Drainage of Houses.

10. If a Dwelling House within the District of a Sewer Authority is without a Drain or without such Drain as is sufficient for effectual Drainage, the Sewer Authority may by Notice require the Owner of such House within a reasonable Time therein specified to make a sufficient Drain emptying into any Sewer which the Sewer Authority is entitled to use, and with which the Owner is entitled to make a Communication, so that such Sewer be not more than One hundred Feet from the Site of the House of such Owner; but if no such Means of Drainage are within that Distance then emptying into such covered Cesspool or other Place not being under any House, as the Sewer Authority directs; and if the Person on whom such Notice is served fails to comply with the same, the Sewer Authority may itself, at the Expiration of the Time specified in the Notice, do the Work required, and the Expenses incurred by it in so doing may be recovered from such Owner in a summary Manner.

Supply of Water to District of Sewer Authority.

11. A Sewer Authority within its District shall have the same Powers in relation to the Supply of Water that a Local Board has within its District, and the Provisions of the Sections herein-after mentioned shall apply accordingly in the same Manner as if in such

such Provisions "Sewer Authority" were substituted for "Local Board of Health" or "Local Board," and the District in such Provisions mentioned were the District of the Sewer Authority and not the District of the Local Board; that is to say, the Sections numbered from Seventy-five to Eighty both inclusive, of The Public Health Act, 1848, Sections Fifty-one, Fifty-two, and Fifty-three of The Local Government Act, 1858, and Section Twenty of The Local Government Act, 1858, Amendment Act, 1861.

The Sewer Authority may, if it think it expedient so to do, provide a Supply of Water for the Use of the Inhabitants of the District, by

(1.) Digging Wells;
(2.) Making and maintaining Reservoirs;
(3.) Doing any other necessary Acts;

and they may themselves furnish the same, or contract with any other Persons or Companies to furnish the same: Provided always, that no Land be purchased or taken under this Clause except by Agreement or in manner provided by The Local Government Act, 1858.

Expenses of Sewer Authority in supplying Water.

12. Any Expenses incurred by a Sewer Authority in or about the Supply of Water to its District, and in carrying into effect the Provisions herein-before in that Behalf mentioned, shall be deemed to be Expenses incurred by that Authority in carrying into effect The Sewage Utilization Act, 1865, and be payable accordingly.

Wells, &c. belonging to any Place vested in Sewer Authority, &c. 23 & 24 Vict. c. 77. s. 7.

13. All Property in Wells, Fountains, and Pumps, and Powers in relation thereto, vested in the Nuisance Authority by the Seventh Section of the Act passed in the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-seven, shall vest in the Sewer Authority, where the Sewer Authority supplies Water to its District.

PART II.

Amendment of the Nuisances Removal Acts.

Definition of "Nuisances Removal Acts."

14. The Expression "Nuisances Removal Acts" shall mean the Acts passed in the Years following of the Reign of Her present Majesty, that is to say, the one in the Session of the Eighteenth and Nineteenth Years, Chapter One hundred and twenty-one, and the other in the Session of the Twenty-third and Twenty-fourth Years, Chapter Seventy-seven, as amended by this Part of this Act; and this Part of this Act shall be construed as One with the said Acts,

and all Expenses incurred by a Nuisance Authority in carrying into effect any of the Provisions of this Part of this Act shall be deemed to be Expenses incurred by it in carrying into effect the Nuisances Removal Acts.

Definition of "Nuisance Authority."

15. "Nuisance Authority" shall mean any Authority empowered to execute the Nuisances Removal Acts.

Power of Police with respect to Nuisances.

16. In any Place within the Jurisdiction of a Nuisance Authority the Chief Officer of Police within that Place, by and under the Directions of One of Her Majesty's Principal Secretaries of State, on its being proved to his Satisfaction that the Nuisance Authority has made default in doing its Duty, may institute any Proceeding which the Nuisance Authority of such Place might institute with respect to the Removal of Nuisances.

Repeal of 23 & 24 Vict. c. 77. s. 3.

17. The Third Section of the said Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-seven, shall be repealed, and all Powers vested in any Highway Board or "Nuisance Removal Committee" under the Nuisances Removal Acts shall determine, and all Property belonging to them for the Purposes of the said Nuisances Removal Acts shall, subject to any Debts or Liabilities affecting the same, be transferred to or vested in the Nuisance Authority under the said Acts: Provided always, that this Section shall not extend to any Vestry or District Board, under the Act of the Session of Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, intituled "An Act for "the better Local Management of the Metropolis," or to any Committee appointed by such Vestry or District Board for the Purpose of carrying into effect the Nuisances Removal Acts, or any of them.

Requisition of Ten Inhabitants equivalent to Certificate of Medical Officer.

18. A Requisition in Writing under the Hands of any Ten Inhabitants of a Place shall for the Purposes of the Twenty-seventh Section of "The Nuisances Removal Act for England, 1855," be deemed to be equivalent to the Certificate of the Medical Officer or Medical Practitioners therein mentioned, and the said Section shall be enforced accordingly.

Addition to Definition of Nuisance.

19. The Word "Nuisances" under the Nuisance Removal Acts shall include,

1. Any House or Part of a House so overcrowded as to be dangerous or prejudicial to the Health of the Inmates:

2. Any Factory, Workshop, or Workplace not already under the Operation of any General Act for the Regulation of Factories or Bakehouses,

Bakehouses, not kept in a cleanly State, or not ventilated in such a Manner as to render harmless as far as practicable any Gases, Vapours, Dust, or other Impurities generated in the course of the Work carried on therein, that are a Nuisance or injurious or dangerous to Health, or so overcrowded while Work is carried on as to be dangerous or prejudicial to the Health of those employed therein :

3. Any Fireplace or Furnace which does not, as far as practicable consume the Smoke arising from the Combustible used in such Fireplace or Furnace, and is used within the District of a Nuisance Authority for working Engines by Steam, or in any Mill, Factory, Dyehouse, Brewery, Bakehouse, or Gaswork, or in any Manufactory or Trade Process whatsoever :

Any Chimney not being the Chimney of a private Dwelling House sending forth Black Smoke in such Quantity as to be a Nuisance :

Provided, first, that in Places where at the Time of the passing of this Act no Enactment is in force compelling Fireplaces or Furnaces to consume their own Smoke, the foregoing Enactment as to Fireplaces and Furnaces consuming their own Smoke shall not come into operation until the Expiration of One Year from the Date of the passing of this Act :

Secondly, that where a Person is summoned before the Justices in respect of a Nuisance arising from a Fireplace or Furnace which does not consume the Smoke arising from the Combustible used in such Fireplace or Furnace, the Justices may hold that no Nuisance is created within the Meaning of this Act, and dismiss the Complaint, if they are satisfied that such Fireplace or Furnace is constructed in such Manner as to consume as far as practicable, having regard to the Nature of the Manufacture or Trade, all Smoke arising therefrom, and that such Fireplace or Furnace has been carefully attended to by the Person having the Charge thereof.

Duties of Nuisance Authorities as to Inspection of Nuisances, &c.

20. It shall be the Duty of the Nuisance Authority to make from Time to Time, either by itself or its Officers, Inspection of the District, with a view to ascertain what Nuisances exist calling for Abatement under the Powers of the Nuisance Removal Acts, and to enforce the Provisions of the said Acts in order to cause the Abatement thereof; also to enforce the Provisions of any Act that may be in force within its District requiring Fireplaces and Furnaces to consume their own Smoke; and any Justice upon Complaint upon Oath may make an Order to admit the Nuisance Authority or their Officers for these Purposes as well as to ground Proceedings

ceedings under the Eleventh Section of The Nuisances Removal Act, 1855.

Proceedings of Nuisance Authority. 18 & 19 Vict. c. 121. s. 12.

21. The Nuisance Authority or Chief Officer of Police shall, previous to taking Proceedings before a Justice under the Twelfth Section of The Nuisances Removal Act, 1855, serve a Notice on the Person by whose Act, Default, or Sufferance the Nuisance arises or continues, or, if such Person cannot be found or ascertained, on the Owner or Occupier of the Premises on which the Nuisance arises, to abate the same, and for that Purpose to execute such Works and to do all such Things as may be necessary within a Time to be specified in the Notice: Provided

First, that where the Nuisance arises from the Want or defective Construction of any structural Convenience, or where there is no Occupier of the Premises, Notice under this Section shall be served on the Owner:

Secondly, that where the Person causing the Nuisance cannot be found, and it is clear that the Nuisance does not arise or continue by the Act, Default, or Sufferance of the Owner or Occupier of the Premises, then the Nuisance Authority may itself abate the same without further Order, and the Cost of so doing shall be Part of the Costs of executing the Nuisances Removal Acts, and borne accordingly.

Power to cause Premises to be cleansed or otherwise disinfected.

22. If it appear to the Nuisance Authority, upon the Certificate of any legally qualified Medical Practitioner, that the cleansing and disinfecting of any House or Part thereof, and of any Articles therein likely to retain Infection, would tend to prevent or check infectious or contagious Disease, it shall be the Duty of the Nuisance Authority to give Notice in Writing requiring the Owner or Occupier of such House or Part thereof to cleanse and disinfect the same, as the Case may require; and if the Person to whom Notice is so given fail to comply therewith within the Time specified in the Notice, he shall be liable to a Penalty of not less than One Shilling and not exceeding Ten Shillings for every Day during which he continues to make default; and the Nuisance Authority shall, cause such House or Part thereof to be cleansed and disinfected and may recover the Expenses incurred from the Owner or Occupier in default in a summary Manner; when the Owner or Occupier of any such House or Part thereof as is referred to in this Section is from Poverty or otherwise unable, in the Opinion of the Nuisance Authority, effectually to carry out the Requirements of this Section, such Authority may, without enforcing such Requirements on such Owner or Occupier, with his Consent,

at

at its own Expense cleanse and disinfect such House or Part thereof, and any Articles therein likely to retain Infection.

CLAUSE A.

Power to provide Means of Disinfection.

23. The Nuisance Authority in each District may provide a proper Place, with all necessary Apparatus and Attendance, for the Disinfection of Woollen Articles, Clothing, or Bedding which have become infected, and they may cause any Articles brought for Disinfection to be disinfected free of Charge.

Nuisance Authorities may provide Carriages for Conveyance of infected Persons.

24. It shall be lawful at all Times for the Nuisance Authority to provide and maintain a Carriage or Carriages suitable for the Conveyance of Persons suffering under any contagious or infectious Disease, and to pay the Expense of conveying any Person therein to a Hospital or Place for the Reception of the Sick or to his own Home.

Removal of Persons sick of infectious Disorders, and without proper Lodging, in any District.

25. Where a Hospital or Place for the Reception of the Sick is provided within the District of a Nuisance Authority, any Justice may, with the Consent of the Superintending Body of such Hospital or Place, by Order on a Certificate signed by a legally qualified Medical Practitioner, direct the Removal to such Hospital or Place for the Reception of the Sick, at the Cost of the Nuisance Authority, of any Person suffering from any dangerous contagious or infectious Disorder, being without proper Lodging or Accommodation, or lodged in a Room occupied by more than One Family, or being on board any Ship or Vessel.

Places for the Reception of dead Bodies may be provided at the Public Expense.

26. Any Nuisance Authority may provide a proper Place for the Reception of dead Bodies, and where any such Place has been provided and any dead Body of one who has died of any infectious Disease is retained in a Room in which Persons live or sleep, or any dead Body which is in such a State as to endanger the Health of the Inmates of the same House or Room is retained in such House or Room, any Justice may, on a Certificate signed by a legally qualified Medical Practitioner, order the Body to be removed to such proper Place of Reception, at the Cost of the Nuisance Authority, and direct the same to be buried within a Time to be limited in such Order; and unless the Friends or Relations of the Deceased undertake to bury the Body within the Time so limited, and do bury the same, it shall be the Duty of the Relieving Officer to bury such Body at the Expense of the Poor Rate, but any Expense so incurred may be recovered by the Relieving Officer in a summary Manner from any Person legally liable to pay the Expense of such Burial.

CLAUSE B.

Places for Reception of dead Bodies during Time

27. Any Nuisance Authority may provide a proper Place (otherwise than at a Workhouse or at a Mortuary House as lastly herein-

required for post mortem Examination may be provided.

before provided for) for the Reception of Dead Bodies for and during the Time required to conduct any Post-mortem Examination ordered by the Coroner of the District or other constituted Authority, and may make such Regulations as they may deem fit for the Maintenance, Support, and Management of such Place; and where any such Place has been provided, any Coroner or other constituted Authority may order the Removal of the Body for carrying out such Post-mortem Examination and the Re-removal of such Body, such Costs of Removal and Re-removal to be paid in the same Manner and out of the same Fund as the Cost and Fees for Post-mortem Examinations when ordered by the Coroner.

CLAUTE C. Power to remove to Hospital sick Persons brought by Ships.

28. Any Nuisance Authority may, with the Sanction of the Privy Council, signified in manner provided by "The Public Health Act, 1858," lay down Rules for the Removal to any Hospital to which such Authority is entitled to remove Patients, and for keeping in such Hospital so long as may be necessary any Persons brought within their District by any Ship or Boat who are infected with a dangerous and infectious Disorder, and they may by such Rules impose any Penalty not exceeding Five Pounds on any Person committing any Offence against the same.

CLAUSE D. Provision as to District of Nuisance Authority extending to Places where Ships are lying.

29. For the Purposes of this Act, any Ship, Vessel, or Boat that is lying in a Place not within the District of a Nuisance Authority shall be deemed to be within the District of such Nuisance Authority as with the Consent of such Authority may be prescribed by the Privy Council, and until a Nuisance Authority has been prescribed then of the Nuisance Authority whose District nearest adjoins the Place where such Ship, Vessel, or Boat is lying, the Distance being measured in a straight Line, but nothing in this Act contained shall enable any Nuisance Authority to interfere with any Ship, Vessel, or Boat that is not in British Waters.

Power of Entry to Nuisance Authority or their Officer. 18 & 19 Vict. c. 121. c. 11.

30. The Power of Entry given to the Authorities by the Eleventh Section of The Nuisances Removal Act, 1855, may be exercised at any Hour when the Business in respect of which the Nuisance arises is in progress or is usually carried on.

And any Justices Order once issued under the said Section shall continue in force until the Nuisance has been abated, or the Work for which the Entry was necessary has been done.

Provision as to Ships within the Jurisdiction of Nuisance Authority.

31. Any Ship or Vessel lying in any River, Harbour, or other Water shall be subject to the Jurisdiction of the Nuisance Authority of the District within which such River, Harbour, or other Water is, and be within the Provisions of the Nuisances Removal Acts

Acts in the same Manner as if it were a House within such Jurisdiction, and the Master or other Officer in charge of such Ship shall be deemed for the Purposes of the Nuisances Removal Acts to be the Occupier of such Ship or Vessel; but this Section shall not apply to any Ship or Vessel belonging to Her Majesty or to any Foreign Government.

CLAUSE E. Provision for raising Money in divided Parishes.

32. Where the Guardians are the Nuisance Authority for Part of any Parish only, and shall require to expend Money on account of such Part in execution of the Provisions of the said Acts, the Overseers of the Parish shall, upon Receipt of an Order from the said Guardians, raise the requisite Amount from the Persons liable to be assessed to the Poor Rate therein by a Rate to be made in like Manner as a Poor Rate, and shall have all the same Powers of making and recovering the same, and of paying the Expense of collecting the Rate when made, and shall account to the Auditor of the District for Receipt and Disbursement of the same, in like Manner, and with the same Consequences, as in the Case of the Poor Rate made by them.

PART III.

Miscellaneous.

In Cities, Boroughs, or Towns, Secretary of State, on Application of Nuisance Authority, may empower them to make Regulations as to Lodging Houses.

33. On Application to One of Her Majesty's Principal Secretaries of State by the Nuisance Authority of the City of London, or any District or Parish included within the Act for the better Local Government of the Metropolis, or of any Municipal Borough, or of any Place under The Local Government Act, 1858, or any Local Improvement Act, or of any City or Town containing, according to the Census for the Time being in force, a Population of not less than Five thousand Inhabitants, the Secretary of State may, as he may think fit, by Notice to be published in the London Gazette, declare the following Enactment to be in force in the District of such Nuisance Authority, and from and after the Publication of such Notice the Nuisance Authority shall be empowered to make Regulations for the following Matters; that is to say,

1. For fixing the Number of Persons who may occupy a House or Part of a House which is let in Lodgings or occupied by Members of more than One Family:
2. For the Registration of Houses thus let or occupied in Lodgings:
3. For the Inspection of such Houses, and the keeping the same in a cleanly and wholesome State:
4. For enforcing therein the Provision of Privy Accommodation and other Appliances and Means of Cleanliness in proportion

to the Number of Lodgings and Occupiers, and the cleansing and Ventilation of the common Passages and Staircases:

5. For the cleansing and lime-whiting at stated Times of such Premises:

The Nuisance Authority may provide for the Enforcement of the above Regulations by Penalties not exceeding Forty Shillings for any One Offence, with an additional Penalty not exceeding Twenty Shillings for every Day during which a Default in obeying such Regulations may continue; but such Regulations shall not be of any Validity unless and until they shall have been confirmed by the Secretary of State.

But this Section shall not apply to Common Lodging Houses within the Provisions of The Common Lodging Houses Act, 1851, or any Act amending the same.

CLAUSE F.
Cases in which Two Convictions have occurred within Three Months.

34. Where Two Convictions against the Provisions of any Act relating to the Overcrowding of a House, or the Occupation of a Cellar as a separate Dwelling Place, shall have taken place within the Period of Three Months, whether the Persons so convicted were or were not the same, it shall be lawful for any Two Justices to direct the closing of such Premises for such Time as they may deem necessary, and, in the Case of Cellars occupied as aforesaid, to empower the Nuisance Authority to permanently close the same, in such Manner as they may deem fit, at their own Cost.

Power to provide Hospitals.

35. The Sewer Authority or in the Metropolis the Nuisance Authority may provide for the Use of the Inhabitants within its District Hospitals or temporary Places for the Reception of the Sick.

Such Authority may itself build such Hospitals or Places of Reception, or make Contracts for the Use of any existing Hospital or Part of a Hospital, or for the temporary Use of any Place for the Reception of the Sick.

It may enter into any Agreement with any Person or Body of Persons having the Management of any Hospital for the Reception of the sick Inhabitants of its District, on Payment by the Sewer Authority of such annual or other Sum as may be agreed upon.

The carrying into effect this Section shall in the Case of a Sewer Authority be deemed to be One of the Purposes of the said Sewage Utilization Act, 1865, and all the Provisions of the said Act shall apply accordingly.

Two or more Authorities having respectively the Power to provide separate Hospitals may combine in providing a common Hospital, and all Expenses incurred by such Authorities in providing such Hospital

Hospital shall be deemed to be Expenses incurred by them respectively in carrying into effect the Purposes of this Act.

Penalty on any Person, with infectious Disorder, exposing himself, or on any Person in charge of such Sufferer causing such Exposure.

36. Any Person suffering from any dangerous infectious Disorder who wilfully exposes himself, without proper Precaution against spreading the said Disorder, in any Street, public Place, or public Conveyance, and any Person in charge of one so suffering who so exposes the Sufferer, and any Owner or Driver of a public Conveyance who does not immediately provide for the Disinfection of his Conveyance after it has, with the Knowledge of such Owner or Driver, conveyed any such Sufferer, and any Person who without previous Disinfection gives, lends, sells, transmits, or exposes any Bedding, Clothing, Rags, or other Things which have been exposed to Infection from such Disorders, shall on Conviction of such Offence before any Justice be liable to a Penalty not exceeding Five Pounds: Provided that no Proceedings under this Section shall be taken against Persons transmitting with proper Precautions any such Bedding, Clothing, Rags, or other Things for the Purpose of having the same disinfected.

Penalty on Persons letting Houses in which infected Persons have been lodging.

37. If any Person knowingly lets any House, Room, or Part of a House, in which any Person suffering from any dangerous infectious Disorder has been, to any other Person without having such House, Room, or Part of a House, and all Articles therein liable to retain Infection, disinfected to the Satisfaction of a qualified Medical Practitioner as testified by a Certificate given by him, such Person shall be liable to a Penalty not exceeding Twenty Pounds. For the Purposes of this Section the Keeper of an Inn shall be deemed to let Part of a House to any Person admitted as a Guest into such Inn.

Guardians and Overseers of the Poor to be the Local Authorities for executing Diseases Prevention Act.

38. Where in any Place Two or more Boards of Guardians or Local Authorities have Jurisdiction, the Privy Council may, by any Order made under The Diseases Prevention Act, 1855, authorize or require such Boards to act together for the Purposes of that Act, and may prescribe the Mode of such joint Action and of defraying the Costs thereof.

Evidence of Family in case of overcrowded Houses.

39. In any Proceedings under The Common Lodging Houses Act, 1851, if the Inmates of any House or Part of a House allege that they are Members of the same Family, the Burden of proving such Allegation shall lie on the Persons making it.

Extension to the whole of England and Ireland of 11 & 12 Vict. c. 63. s. 67.

40. The Sixty-seventh Section of The Public Health Act, 1848, relating to Cellar Dwellings shall apply to every Place in England and Ireland where such Dwellings are not regulated by any other Act of

of Parliament, and in applying that Section to Places where it is not in force at the Time of the passing of this Act the Expression "this Act" shall be construed to mean the "Sanitary Act, 1866," and not the said Public Health Act, 1848. In construing the said Sixty-seventh Section as applied by this Act Nuisance Authority shall be substituted for the Local Board.

Local Board in certain Cases may adopt Baths and Wash-houses Acts.

41. Local Boards acting in execution of The Local Government Act, 1858, may adopt the Act to encourage the Establishment of public Baths and Wash-houses, and any Act amending the same, for Districts in which those Acts are not already in force, and when they have adopted the said Acts they shall have all the Powers, Duties, and Rights of Commissioners under the said Acts; and all Expenses incurred by any Local Board in carrying into execution the Acts referred to in this Section shall be defrayed out of the General District Rates, and all Receipts by them under the said Acts shall be carried to the District Fund Account.

Power to Burial Boards in certain Cases to transfer their Powers to Local Board.

42. When the District of a Burial Board is conterminous with the District of a Local Board of Health, the Burial Board may, by Resolution of the Vestry, and by Agreement of the Burial Board and Local Board, transfer to the Local Board all their Estate, Property, Rights, Powers, Duties, and Liabilities, and from and after such Transfer the Local Board shall have all such Estate, Property, Rights, Powers, Duties, and Liabilities as if the Local Board had been appointed a Burial Board by Order in Council under the Fourth Section of the Act of the Session of the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Eighty-one.

Penalty for wilful Damage of Works.

43. If any Person wilfully damages any Works or Property belonging to any Local Board, Sewer Authority, or Nuisance Authority, he shall be liable to a Penalty not exceeding Five Pounds.

Incorporation of Sanitary Authorities.

44. The following Bodies, that is to say, Local Boards, Sewer Authorities, and Nuisance Authorities, if not already incorporated, shall respectively be Bodies Corporate designated by such Names as they may usually bear or adopt, with Power to sue and be sued in such Names, and to hold Lands for the Purposes of the several Acts conferring Powers on such Bodies respectively in their several Characters of Local Boards, Sewer Authorities, or Nuisance Authorities.

Clause G. Extent of Authority to make Provisional

45. The Authority conferred on One of Her Majesty's Principal Secretaries of State by Section Seventy-five of The Local Government Act, 1858, to empower by Provisional Order a Local Board to

to put in force, with reference to the Land referred to in such Order, the Powers of The Lands Clauses Consolidation Act, 1845, with respect to the Purchase and taking of Lands otherwise than by Agreement, shall extend and apply and shall be deemed to have always extended and applied to every Case in which, by The Public Health Act, 1848, and The Local Government Act, 1858, or either of them, or any Act extending or amending those Acts, or either of them, a Local Board are authorized to purchase, provide, use, or take Lands or Premises for any of the Purposes of the said Acts, or either of them, or of any such Act as aforesaid; and Sections Seventy-three and Eighty-four of The Public Health Act, 1848, shall be construed as if the Words "by Agreement" therein respectively used had been expressly repealed by Section Seventy-five of The Local Government Act, 1858.

Orders respecting Lands under Local Government Act, s. 75.

46. Any Local Board, Sewer Authority, or Nuisance Authority may appear before any Justice or Justices, or in any legal Proceeding, by its Clerk or by any Officer or Member authorized generally or in respect of any special Proceeding by Resolution of such Board or Authority, and such Person being so authorized shall be at liberty to institute and carry on any Proceeding which the Nuisance Authority is authorized to institute and carry on under the Nuisance Removal Acts or this Act.

Appearance of Local Authorities in legal Proceedings.

CLAUSE H.

47. Where Complaint is made to One of Her Majesty's Principal Secretaries of State that a Sewer Authority, or Local Board of Health, has made default in providing its District with sufficient Sewers, or in the Maintenance of existing Sewers, or in providing its District with a Supply of Water in Cases where Danger arises to the Health of the Inhabitants from the Insufficiency or Unwholesomeness of the existing Supply of Water, and a proper Supply can be got at a reasonable Cost, or that a Nuisance Authority has made default in enforcing the Provisions of the Nuisance Removal Acts, or that a Local Board has made default in enforcing the Provisions of the Local Government Act, the said Secretary of State, if satisfied after due Inquiry made by him that the Authority has been guilty of the alleged Default, shall make an Order limiting a Time for the Performance of its Duty in the Matter of such Complaint; and if such Duty is not performed by the Time limited in the Order, the said Secretary of State shall appoint some Person to perform the same, and shall by Order direct that the Expenses of performing the same, together with a reasonable Remuneration to the Person appointed for superintending such Performance, and amounting to a Sum specified in the Order, together with the Costs of the Proceedings, shall be paid by the Authority in default; and any Order

Mode of Proceeding where Sewer Authority has made default in providing sufficient Sewers, &c.

made for the Payment of such Costs and Expenses may be removed into the Court of Queen's Bench, and be enforced in the same Manner as if the same were an Order of such Court.

CLAUSE I. Recovery of certain Expenses of Water Supply.

48. All Expenses incurred by a Sewers Authority or Local Board in giving a Supply of Water to Premises under the Provisions of the Seventy-sixth Section of The Public Health Act, 1848, or the Thirty-first Section of The Local Government Act, 1858, and recoverable from the Owners of the Premises supplied, may be recovered in a summary Manner.

CLAUSE K. Amendment of 6 G. 4. c. 78.

49. All Penalties imposed by the Act of the Sixth Year of King George the Fourth, Chapter Seventy-eight, intituled "An Act to "repeal the several Laws relating to Quarantine, and to make "other Provisions in lieu thereof," may be reduced by the Justices or Court having Jurisdiction in respect of such Penalties to such Sum as the Justices or Court think just.

CLAUSE L. Description of Vessels within Provisions of 6 G. 4. c. 78.

50. Every Vessel having on board any Person affected with a dangerous or infectious Disorder shall be deemed to be within the Provisions of the Act of the Sixth Year of King George the Fourth, Chapter Seventy-eight, although such Vessel has not commenced her Voyage, or has come from or is bound for some Place in the United Kingdom.

CLAUSE M. Periodical Removal of Manure in Mews, &c.

51. Where Notice has been given by the Nuisance Authority, or their Officer or Officers, for the periodical Removal of Manure or other refuse Matter from Mews, Stables, or other Premises (whether such Notice shall be by public Announcement in the Locality or otherwise), and subsequent to such Notice the Person or Persons to whom the Manure or other refuse Matter belongs shall not so remove the same, or shall permit a further Accumulation, and shall not continue such periodical Removal at such Intervals as the Nuisance Authority, or their Officer or Officers, shall direct, he or they shall be liable, without further Notice, to a Penalty of Twenty Shillings per Day for every Day during which such Manure or other refuse Matter shall be permitted to accumulate, such Penalty to be recovered in a summary Manner: Provided always, that this Section shall not apply to any Place where the Board of Guardians or Overseers of the Poor are the Nuisance Authority.

Recovery of Penalties.

52. Penalties under this Act, and Expenses directed to be recovered in a summary Manner, may be recovered before Two Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty

Majesty Queen Victoria, Chapter Forty-three, intituled "An Act to "facilitate the Performance of the Duties of Justices of the Peace "out of Sessions within England and Wales with respect to summary "Convictions and Orders," or any Act amending the same.

Powers of Act cumulative.

53. All Powers given by this Act shall be deemed to be in addition to and not in derogation of any other Powers conferred on any Local Authority by Act of Parliament, Law, or Custom; and such Authority may exercise such other Powers in the same Manner as if this Act had not passed.

PART IV.

Application of Act to Ireland.

Modifications necessary for Application of Part I. to Ireland.

54. In applying the First Part of this Act to Ireland, the following Changes shall be observed:

(1.) An Appeal against the Constitution of a Special Drainage District shall, in Ireland, be made to, and the Power of annulling the Formation of a Special District and of modifying its Boundaries vested in, the Lord Lieutenant in Council:

(2.) The Provisions of the Sections numbered from Seventy-five to Eighty, both included, of The Public Health Act, 1848, and Sections Fifty-one, Fifty-two, and Fifty-three of The Local Government Act, 1858, and Section Twenty of The Local Government Act, 1858, Amendment Act, 1861, referred to in the First Part of this Act, shall for all Purposes connected with the Execution of this Act be extended to Ireland:

(3.) The Sewage Utilization Act, 1865, shall be amended by substituting in Ireland the Sewer Authority, as defined by the First Schedule to this Act, for the Sewers Authority as defined by said Act:

Modifications necessary for Application of Part II. to Ireland.

55. The Nuisance Removal Acts as amended by the Second Part of this Act shall apply to Ireland; provided, however, that in such Application the following Changes shall be observed:

(1.) Sewer Authority as defined by the Sewage Utilization Act, 1865, and amended by this Act, shall in Ireland be the Nuisance Authority for executing the Nuisance Removal Acts:

(2.) The Expenses of executing the Nuisance Removal Acts shall be defrayed out of the Funds herein-after provided:

(3.) The Penalties shall be recovered in the Manner herein-after provided:

(4.) The Expressions "Mayor, Aldermen, and Burgesses," "Council," "Borough Rate," "Borough Fund," and "Town Rate," shall in the First Schedule hereto have respectively the same Meaning as in the Acts for the Regulation of Municipal Corporations in Ireland:

(5.) For the Purposes of the Twenty-second Section of The Nuisance Removal Act, 1855, the Nuisance Authority shall in Ireland have the Power of entering Land conferred by The Sewage Utilization Act, 1865, and shall have the same Power of levying Assessments under the said Section that they have of levying any other Rates they are authorized by Law to impose.

How Expenses to be defrayed in Ireland when Nuisance Authority not a Board of Guardians.

56. In Ireland, the Nuisance Authority, not being the Guardians of the Poor, shall pay all Expenses incurred by them in carrying the Nuisance Removal Acts into effect, out of the Fund in the First Schedule in that Behalf mentioned; and where such Fund arises wholly or in part from Rates, shall have, in addition to their existing Powers of Rating, all such Powers for making and levying any extra Rate, if necessary, respectively, as in the Case of any Rate authorized to be made under the Provisions of the respective Acts of Parliament under which the Nuisance Authorities are constituted or authorized to levy Rates; and all Provisions of such Acts respectively shall be applicable in respect thereof; provided that when the Rates to be assessed by such Authority are limited by Law to a certain rateable Amount, such Limitation shall not apply or extend to Expenses incurred in carrying this Act into execution; and it shall be lawful for such Authority to assess the Expenses under this Act in addition to such limited Assessment.

When Board of Guardians is Nuisance Authority, how Expenses to be defrayed in Ireland.

57. In Ireland, a Nuisance Authority, being Guardians of the Poor, shall pay all Expenses incurred by them in carrying this Act into effect out of the Poor Rates of the Union, and charge the same to the Union, or any Electoral Division or Electoral Divisions thereof, in such Manner as the Poor Law Commissioners shall from Time to Time, by general Orders applicable to Classes of Cases, or by Order in any particular Case direct.

Recovery of Penalties in Ireland.

58. In Ireland, Penalties under this Act and Expenses or Compensation directed to be recovered in a summary Manner, and Nuisances and other Offences liable to be prosecuted summarily, shall be recovered and prosecuted in manner directed by the Petty Sessions

Sessions (Ireland) Act, 1851, or any Act amending the same; and all Penalties recovered by any Authority under this Act shall be paid to them respectively, and by them applied in aid of their Expenses under this Act.

Any Order authorized to be made by Justices under this Act shall be deemed to be an Order made upon a Complaint on which Justices are authorized to make Orders under the last-mentioned Act.

Modifications necessary for Application of Part III. to Ireland.

59. In applying the Provisions of Part III. of this Act to Ireland the following Changes shall be observed:

(1.) Applications for Power to make Regulations as to Lodging Houses may be made by any Nuisance Authority, except a Board of Guardians, and shall be made to the Lord Lieutenant in Council, and the said Lord Lieutenant in Council shall have the Power of declaring the Enactments as to Lodging Houses in the Third Part of this Act to be in force in any Nuisance District:

(2.) The said Lord Lieutenant in Council shall have and exercise the Power, in respect of Boards of Guardians acting together, vested in the Privy Council by the said Third Part of this Act:

(3.) In Ireland, any Nuisance Authority, except a Board of Guardians, may exercise the Powers conferred on Local Boards acting in the Execution of The Local Government Act, 1858, by the said Third Part of this Act:

(4.) Sewer and Nuisance Authorities in Ireland shall be incorporated for the Purposes of this Act by the Names set forth in the said First Schedule hereto; and such Sewer or Nuisance Authorities may hold Lands by such Names for the Purposes of Burial Ground (Ireland) Act, 1856:

(5.) The Penalties under the Third Part of this Act shall be recovered in like Manner as herein-before provided with respect to Penalties under the Second Part of this Act.

Modifications necessary for Application of Disease Prevention Act to Ireland.

60. The Diseases Prevention Act, 1855, as amended by the Nuisance Removal and Disease Prevention Amendment Act, 1860, and this Act, shall extend to Ireland: Provided, however, that in such Application the following Changes shall be observed:

(1.) The Lord Lieutenant in Council shall have the Power with respect to Ireland which the Privy Council has under such Provisions for Prevention of Disease in England:

(2.) The Commissioners for administering the Laws for the Relief of the Poor in Ireland, herein-after called the Poor Law Commissioners, shall be the Authority in Ireland for issuing Regulations to carry the Provisions of said Act into effect:

(3.) The Regulations of the Poor Law Commissioners shall be authenticated in like Manner as Orders of theirs under the Dispensary Act, 1851, Stat. 15 & 16 Vict. c. 68. Sect. 8.:

(4.) In defraying the Expenses of the Prevention of Disease out of the Poor Rate of the Union under this Act the Guardians of the Poor shall charge the same to the Union, or any Dispensary District or Electoral Division or Divisions thereof, in such Manner as the Poor Law Commissioners shall from Time to Time, by General Orders applicable to Classes of Cases, or by Orders in particular Cases direct.

Committee and Officers under Dispensaries Act to aid Local Authority in execution of this Act.

61. In Ireland, all Committees, Inspectors, Medical Officers, and other Persons appointed or employed under the Powers of Statute Fourteenth and Fifteenth Victoria, Chapter Sixty-eight, (the Dispensaries Act, 1851), shall, and they are hereby required within their respective Districts to aid the Local Authority, and such Officers or Persons as they shall appoint or employ in the Superintendence and Execution of any Directions and Regulations which may at any Time be issued by the Poor Law Commissioners for the Time being, under the Authority and by virtue of this Act.

The Provisions of the Dispensary Act, 1851, as to Duties and Appointment of Medical Inspectors in Ireland, incorporated with this Act.

62. In Ireland, the Provisions of The Dispensary Act, 1851 (Statute 14 & 15 Vict. c. 68.), with respect to the Duties and Appointment of Medical Inspectors, shall be incorporated with this Act, and the Prevention of Disease and Inquiry into Public Health under this Act shall be deemed One of the Purposes for which such Medical Inspectors have been or may be appointed, in like Manner as if its Provisions had been referred to in the said Act of 1851, instead of the Provisions of the said Nuisance Removal and Diseases Prevention Act of 1848.

Remuneration to Medical Practitioners for Services under the Directions and Regulations of the Poor Law Commissioners in Ireland.

63. In Ireland, whenever in compliance with any Direction or Regulation of the Poor Law Commissioners, which they may be empowered to make under the Laws for the Time being as to the Public Health, any Medical Officer of a Union or Dispensary District, or any other Medical Practitioner specially employed by the Guardians for the Purpose, shall perform any extra Medical Service in any Union or Part of a Union, it shall and may be lawful for the Guardians of the Union to determine, subject to the Approval of the said Commissioners, and if they shall not approve the Amount determined by the Guardians, for the said Commissioners to fix by Order under their Seal, such Remuneration, proportioned to the Nature and Extent of such Services as aforesaid, as to them shall appear just and reasonable; and the Amount of such Remuneration shall

shall be paid to such Medical Officer or other Medical Practitioner by the Guardians of the Union, out of the Rates raised for the Relief of the Poor, and shall be charged either to the Union at large, or to such Part or Parts of the Union, according to the Nature of the Case, as the said Commissioners shall in each Case direct.

Poor Law Commissioners to make Inquiries as to Public Health in Ireland.

64. The Lord Lieutenant in Council may from Time to Time direct the Poor Law Commissioners to cause to be made such Inquiries as the Lord Lieutenant in Council see fit in relation to any Matters concerning the Public Health in any Place or Places in Ireland, and the Poor Law Commissioners shall report the Result of such Inquiries to the Lord Lieutenant in Council.

Publication in Ireland to be made in Dublin Gazette.

65. Publication shall be made in the Dublin Gazette in any Case in Ireland where Publication in the London Gazette is required in England.

Clause N. Powers in Secretary of State in England to be exercised in Ireland by the Lord Lieutenant in Council.

66. All Powers relating to the Execution of this Act in England and by this Act vested in One of Her Majesty's Principal Secretaries of State shall, with regard to the Execution of this Act in Ireland, in all Cases not herein-before expressly provided for, be vested in the Lord Lieutenant or other Chief Governor or Governors of Ireland.

Repeal of Statutes applicable to Ireland.

67. From and after the passing of this Act the Acts set forth in the Second Schedule hereto shall be repealed, so far as they are still in force: Provided always, that all Proceedings commenced or taken under the said Acts and not yet completed may be proceeded with under said Acts, and that all Contracts and Works undertaken by virtue of said Acts shall continue and be effective as if said Acts had not been repealed.

SCHEDULES.

FIRST SCHEDULE.

Application to Ireland.

Description of Sewers and Nuisance Authority in Ireland.	Description of Sewers and Nuisance District in Ireland.	Corporate Name, for the Purpose of suing or being sued, or holding Property, under the Provisions of this Act.	Rate or Fund out of which Expenses incurred by Sewers or Nuisance Authority under this Act to be defrayed.
The Right Honorable the Lord Mayor, Alderman, and Burgesses, acting by the Town Council.	The City of Dublin.	The Right Honorable the Lord Mayor, Aldermen, and Burgesses of the City of Dublin.	The Borough Rate or Borough Fund.
The Mayor, Aldermen, and Burgesses, acting by the Town Council.	Towns Corporate, with Exception of Dublin.	The Mayor, Aldermen, and Burgesses of the City or Town of——	The Borough Rate or Borough Fund.
The Town Commissioners.	Towns having Town Commissioners, under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 113), or under any Local Act.	The Town Commissioners of ——	Any Rate levied by the Commissioners.
The Township Commissioners.	Townships having Commissioners under Local Acts.	The Township Commissioners of ——	
The Commissioners appointed by virtue of an Act made in the 9th Year of the Reign of George the Fourth, intituled "An Act to make Provision for the lighting, cleansing, and watching of Cities and Towns Corporate, and Market Towns in Ireland, in certain Cases."	Towns under such Commissioners.	The Lighting and Cleansing Commissioners of the Town of ——	
The Municipal Commissioners.	Towns having Municipal Commissioners, under 3 & 4 Vict. c. 108.	The Municipal Commissioners of ——	The Town Fund.
The Guardians of the Poor of each Union.	Such Part of each Union as is not under another Sewer or Nuisance Authority.	The Guardians of the Poor of the —— Union.	The Poor Rate of Union.

SECOND

SECOND SCHEDULE.

Statutes repealed.

Local Boards of Health Act for Ireland, 1818; Statute 58 Geo. 3. c. 47. ss. 10 to 15, inclusive.

Officers of Health Act for Ireland, 1819; Statute 59 Geo. 3. c. 41.

Nuisance Removal and Disease Prevention Act, 1848.

Nuisance Removal and Disease Prevention Act, 1849.

Public Health.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE AND ON RE-COMMITMENT]

To amend the Law relating to the Public Health.

(Prepared and brought in by Mr. Bruce, Mr. Chichester Fortescue, and Sir G. Grey.)

Ordered, by The House of Commons, *to be Printed,* 29 *June* 1866.

[Bill 253.]

Under 4 *oz.*

[To be substituted for the Amendments [202 *b*] already delivered.]

Public Health Bill.

AMENDMENTS

TO BE PROPOSED IN COMMITTEE OF THE WHOLE HOUSE

BY

MR. WALPOLE.

Page 6. At the End of Clause 14. insert the following Paragraph:

For the Purpose of this Section and the remaining Sections of this Part of this Act a Local Board shall be deemed to be a Sewer Authority, and shall be subject to the Provisions of the said Sections accordingly.

Where a Sewer Authority on appearing before the Justices in Petty Sessions in pursuance of this Section proves to the Satisfaction of such Justices, that in the event of the Matter of the Complaint being decided against it the Expense of remedying the Default complained of will, exclusive of Costs, exceed Fifty Pounds, and requests that the Hearing of the Complaint may be adjourned to the next practicable Court of General or Quarter Sessions held for the County or Place in which the Cause of Complaint has arisen, and enters into a Recognizance with Two sufficient Sureties to abide the Judgment of the Court thereon, and to pay such Costs as may be by the Court awarded, the Justices in Petty Sessions shall adjourn the Case accordingly. Upon the Hearing of the Case the Court of General or Quarter Sessions shall have all the Powers hereby given to it as an Appellate Court, and in addition thereto may make any Order which the Justices in Petty Sessions might have made; and any Order made by a Court of General or Quarter Sessions of the Peace under or in pursuance of this Act may be enforced in the Manner provided with respect to such Orders by the Act of the Session of the Twelfth and Thirteenth Years of the Reign of Her present Majesty, Chapter Forty-five, intituled "An "Act to amend the Procedure in Courts of General or Quarter

" Sessions of the Peace in England and Wales, and for the better " Advancement of Justice in Cases within the Jurisdiction of " those Courts."

Page 7. Clause 20. Line 36. After (" Place ") insert (" by and under the Directions of One of Her Majesty's Principal Secretaries of State on its being proved to his Satisfaction that the Nuisance Authority has made Default in doing its Duty")

Page 9. Omit Clause 24.

Page 10. Clause 27. Line 11. After (" Authority ") insert (" after Notice received in Writing ")

Line 28. Omit the Words (" he may be advised ") and insert (" to such Justices may seem expedient ")

Line 43. Omit (" limewashing ")

Page 11. Line 1. Omit from Beginning of Line to (" otherwise ") inclusive and insert (" and ")

Same Line, after (" thereof ") insert (" and of any " Articles therein likely to retain Infection ")

Line 3. Omit from (" may ") to (" they ") in Line 5, both inclusive.

Lines 6 and 7. Omit (" limewash or otherwise ") and insert (" and ")

Line 13. Omit (" limewashed or otherwise ") and insert " (" and disinfected ")

Insert at End of Clause 28 the following Paragraph:

When the Owner or Occupier of any such House or Part thereof as is referred to in this Section is from Poverty or otherwise unable, in the Opinion of the Nuisance Authority, effectually to carry out the Requirements of this Section, such Authority, may without enforcing such Requirements on such Owner or Occupier, with his Consent, at its own Expense cleanse and disinfect such House or Part thereof, and any Articles therein likely to retain Infection.

Page 11. To follow Clause 28: Clause A.

Page 11. Line 28. After (" without ") insert (" proper")

Section 31. Add at End of Section: (" and direct the " same to be buried within a Time to be limited in such Order; " and unless the Friends or Relations of the Deceased undertake " to bury the Body within the Time so limited, and do bury the " same, it shall be the Duty of the Relieving Officer to bury such " Body at the Expense of the Poor Rate, but any Expense so " incurred may be recovered by the Relieving Officer in a summary " Manner from any Person legally liable to pay the Expense of " such Burial")

Page 11. To follow Clause 31: Clauses B. and C.

Page 12. Clause 33. Line 8. After "within" omit "or near to."

Page 13. Clause 35. Line 13. Omit ("or Nuisance Authority")

Page 13. Line 14. Omit ("either permanent")
Line 28. Omit from ("where") to End of Clause.
Line 32. Clause 36. After ("who") omit ("wilfully")

Page 14. Clause 37. Line 4. After ("Person") insert ("knowingly")

Page 15. To follow Clause 45: Clauses D. and E.

CLAUSE A.

Power to provide Means of Disinfection.

The Nuisance Authority in each District may provide a proper Place, with all necessary Apparatus and Attendance, for the Disinfection of Woollen Articles, Clothing, or Bedding which have become infected, and they may cause any Articles brought for Disinfection to be disinfected free of Charge.

CLAUSE B.

Power to remove to Hospital sick Persons brought by Ships.

Any Nuisance Authority may, with the Sanction of the Privy Council, signified in manner provided by the Public Health Act, 1858, lay down Rules for the Removal to any Hospital to which such Authority is entitled to remove Patients, and for keeping in such Hospital so long as may be necessary, any Persons brought within their District by any Ship or Boat who are infected with a dangerous and infectious Disorder, and they may by such Rules impose any Penalty not exceeding Five Pounds on any Person committing any Offence against the same.

CLAUSE C.

Provision as to District of Nuisance Authority extending to Places where Ships are lying.

For the Purposes of this Act any Ship, Vessel, or Boat that is lying in a Place not within the District of a Nuisance Authority shall be deemed to be within the District of the Nuisance Authority whose District nearest adjoins the Place where such Ship, Vessel, or Boat is lying, the Distance being measured in a straight Line, but nothing in this Act contained shall enable any Nuisance Authority to interfere with any Ship, Vessel, or Boat that is not in British Waters.

CLAUSE D.

CLAUSE D.

Recovery of certain Expenses of Water Supply.

All Expenses incurred by a Sewers Authority or Local Board in giving a Supply of Water to Premises under the Provisions of the Seventy-sixth Section of the Public Health Act, 1848, or the Thirty-first Section of the Local Government Act, 1858, and recoverable from the Owners of the Premises supplied, may be recovered in a summary Manner.

CLAUSE E.

Amendment of 6 G. 4. c. 78.

All Penalties imposed by the Act of the Sixth Year of King George the Fourth, Chapter Seventy-eight, intituled "An Act to "repeal the several Laws relating to Quarantine, and to make other "Provisions in lieu thereof," may be reduced by the Justices or Court having Jurisdiction in respect of such Penalties to such Sum as the Justices or Court think just.

[To be substituted for the Amendments [202 *b*] already delivered.]

Public Health Bill.

AMENDMENTS

TO BE PROPOSED IN COMMITTEE OF THE WHOLE HOUSE

BY

MR. WALPOLE.

18th July 1866.

[Bill 202 *b*.]

A

BILL

TO

Amend the Public Libraries Act.

WHEREAS it is expedient to amend the Public Libraries Act, 1855, so far as relates to Municipal Boroughs, and to assimilate the Laws relating to Public Libraries in England and Scotland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Towns Improvement Clauses Act not to apply to Boroughs.

1. So much of the Section Fifteen of the said Public Libraries Act, 1855, as incorporates with that Act certain Clauses of the Towns Improvement Clauses Act, 1847, shall, so far as the same relates to or concerns Municipal Boroughs, be repealed.

Expenses of executing Act in Boroughs to be paid out of Borough Fund.

2. The Expenses of carrying the said Act into execution in any Municipal Borough shall be paid out of the Borough Fund of such Borough, or by and out of a Rate to be made and recovered in such Borough, in like Manner as a Borough Rate may be made and recovered therein; but the Amount so paid in such Borough in any One Year shall not exceed the Sum of *One Penny* in the Pound upon the annual Value of the Property in such Borough rateable to a Borough Rate.

3. So

Sections 6, 7, and 8. of Public Libraries Act (Scotland), repealed.

3. So much of Section Six of the Public Libraries Act (Scotland), 1854, as authorizes the demanding of a Poll, and Sections Seven and Eight of the said Act, are hereby repealed.

If any Burgh declines to adopt Act, no fresh Meeting to be held for a Year.

4. If any Meeting called as provided by the said last-mentioned Act shall determine against the Adoption of the Act in any Burgh, no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting.

Title of Act.

5. This Act may be cited as the Public Libraries Amendment Act (England and Scotland), 1866, and shall, so far as relates to Sections One and Two of this Act, be taken to be Part of the said Public Libraries Act, 1855, and shall be construed accordingly.

Public Libraries Act Amendment.

A

B I L L

To amend the Public Libraries Act.

(*Prepared and brought in by Mr. William Ewart and Mr. Dunlop.*)

Ordered, by The House of Commons, *to be Printed,* 27 *February* 1866.

[Bill 44.]

Under 1 *oz.*

[To be substituted for the Bill [104.] already delivered.]

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Public Libraries Act.

WHEREAS it is expedient to amend the Public Libraries Act, 1855, so far as relates to Municipal Boroughs, and to assimilate the Laws relating to Public Libraries in England and Scotland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Towns Improvement Clauses Act not to apply to Boroughs.

1. So much of the Section Fifteen of the said Public Libraries Act, 1855, as incorporates with that Act certain Clauses of the Towns Improvement Clauses Act, 1847, shall, so far as the same relates to or concerns Municipal Boroughs, be repealed.

Expenses of executing Act in Boroughs to be paid out of Borough Fund.

2. The Expenses of carrying the said Act into execution in any Municipal Borough shall be paid out of the Borough Fund of such Borough, or by and out of a Rate to be made and recovered in such Borough, in like Manner as a Borough Rate may be made and recovered therein; but the Amount so paid in such Borough in any One Year shall not exceed the Sum of One Penny in the Pound upon the annual Value of the Property in such Borough rateable to a Borough Rate.

In Boroughs Meeting to be called at the Request of Ten Ratepayers.

3. The Public Meeting mentioned in Section 4 of the said Public Libraries Act, 1855, shall be called not only on the Request of the Town Council, but also on the Request in Writing of Ten Ratepayers residing in the Borough.

Parishes adjoining a Borough, &c. may unite in adopting Act.

4. Any Parish of whatever Population, adjoining any Borough, District, or Parish which shall have adopted or shall be contemplating adopting the said Public Libraries Act, 1855, may, with the Consent of more than One Half of the Ratepayers thereof present at a Meeting to be convened in manner directed by the said Act with reference to Meetings of Ratepayers, and with the Consent also of the Town Council of such Borough, or the Board of such District, or the Commissioners of such Parish, as the Case may be, determine that such adjoining Parish shall for the Purposes of the said Act form Part of such Borough, District, or Parish, and thereupon the Vestry of such adjoining Parish shall forthwith appoint Three Ratepayers Commissioners for such Parish, One Third of whom shall go out of Office and the Vacancies be filled up as provided by the said Act with respect to the Commissioners of a Parish, and such Commissioners for the Time being shall for the Purposes of the said Act be considered as Part of such Town Council, Board, or Commissioners, as the Case may be; the Expenses of calling the Meeting, and the Proportion of the Expenses of such adjoining Parish, of carrying the said Act into execution shall be paid out of the Poor Rates thereof to such Person as the Commissioners of the said adjoining Parish shall appoint to receive the same.

A Majority of One Half of the Ratepayers may adopt Act.

5. The Majority necessary to be obtained for the Adoption of the said Act or the Public Libraries Act (Scotland), 1854, shall be more than One Half of the Persons present at the Meeting, instead of Two Thirds of such Persons, as now required.

Sections 6, 7, and 8. of Public Libraries Act (Scotland), repealed.

6. So much of Section 6 of the Public Libraries Act (Scotland), 1854, as authorizes the demanding of a Poll, and Sections Seven and Eight of the said Act, are hereby repealed; and the said Act shall be applicable to any such Burgh as therein mentioned the Population of which according to the then last Census shall exceed Five thousand Persons instead of Ten thousand Persons, as now provided by the said Act.

If any Burgh declines to adopt Act, no fresh Meeting to be held for a Year.

7. If any Meeting called as provided by the said last-mentioned Act shall determine against the Adoption of the Act in any Burgh, no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting.

8. This

8. This Act may be cited as the Public Libraries Amendment Act (England and Scotland), 1866, and shall, so far as relates to Sections One and Two of this Act, be taken to be Part of the said Public Libraries Act, 1855, and shall be construed accordingly. Title of Act.

[To be substituted for the Bill [104.] already delivered.]

Public Libraries Act Amendment.

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend the Public Libraries Act.

(*Prepared and brought in by Mr. William Ewart and Mr. Dunlop.*)

Ordered, by The House of Commons, *to be Printed,* 16 *April* 1866.

[Bill 104.] +

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

TO

Amend the Public Libraries Act.

WHEREAS it is expedient to amend the Public Libraries Act, 1855, and to assimilate the Laws relating to Public Libraries in England and Scotland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Towns Improvement Clauses Act not to apply to Boroughs.

1. So much of the Section Fifteen of the said Public Libraries Act, 1855, as incorporates with that Act certain Clauses of the Towns Improvement Clauses Act, 1847, shall, so far as the same relates to or concerns Municipal Boroughs, be repealed.

Repeal of Section 5 of recited Act.

Expenses of executing Act in Boroughs to be paid out of Borough Fund.

2. Section Five of the said Act, except so much thereof as relates to keeping distinct Accounts, shall be repealed: And the Expenses incurred in calling and holding the Meeting, whether the said Act shall be adopted or not, and the Expenses of carrying the said Act into execution in any Municipal Borough may be paid out of the Borough Rate of such Borough, or by and out of a Rate to be made and recovered in such Borough, in like Manner as a Borough Rate may be made and recovered therein; but the Amount so paid in such Borough in any One Year shall not exceed the Sum of

Penny in the Pound upon the annual Value of the Property in such Borough rateable to a Borough Rate.

In Boroughs Meeting to be called at the Request of Ten Ratepayers.

3. The Public Meeting mentioned in Section 4 of the said Public Libraries Act, 1855, shall be called either on the Request of the Town Council, or on the Request in Writing of Ten Ratepayers residing in the Borough.

Parishes adjoining a Borough, &c. may unite in adopting Act.

4. Any Parish of whatever Population, adjoining any Borough, District, or Parish which shall have adopted or shall contemplate the Adoption of the said Public Libraries Act, 1855, may, with the Consent of more than One Half of the Ratepayers thereof present at a Meeting to be convened in manner directed by the said Act with reference to Meetings of Ratepayers, and with the Consent also of the Town Council of such Borough, or the Board of such District, or the Commissioners of such Parish, as the Case may be, determine that such adjoining Parish shall for the Purposes of the said Act form Part of such Borough, District, or Parish, and thereupon the Vestry of such adjoining Parish shall forthwith appoint Three Ratepayers Commissioners for such Parish, One Third of whom shall go out of Office and the Vacancies be filled up as provided by the said Act with respect to the Commissioners of a Parish, and such Commissioners for the Time being shall for the Purposes of the said Act be considered as Part of such Town Council, Board, or Commissioners, as the Case may be; and the Expenses of calling the Meeting, and the Proportion of the Expenses of such adjoining Parish, of carrying the said Act into execution shall be paid out of the Poor Rates thereof to such Person as the Commissioners of the said adjoining Parish shall appoint to receive the same.

A Majority of One Half of the Ratepayers may adopt Act.

5. The Majority necessary to be obtained for the Adoption of the said Act or the Public Libraries Act (Scotland), 1854, shall be more than One Half of the Persons present at the Meeting, instead of Two Thirds of such Persons, as now required.

Act may be adopted whatever Amount of Population.

6. The Public Libraries Act (1855) and the Public Libraries (Scotland) Act (1854) shall be applicable to any Borough, District, or Parish or Burgh, of whatever Population.

Sections 6, 7, and 8. of Public Libraries Act (Scotland) repealed.

7. So much of Section 6 of the Public Libraries Act (Scotland), 1854, as authorizes the demanding of a Poll, and Sections Seven and Eight of the said Act, are hereby repealed.

If any Burgh declines to adopt Act, no

8. If any Meeting called as provided by the said last-mentioned Act shall determine against the Adoption of the Act in any Burgh,

no

no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting. fresh Meeting to be held for a Year.

9. The Clauses and Provisions of the Companies Clauses Consolidation (Scotland) Act, (1845) with respect to the borrowing of Money upon Mortgage or Bond, and the Accountability of Officers, and the Recovery of Damages and Penalties, so far as such Provisions may respectively be applicable to the Purposes of the said Public Libraries Act (Scotland) (1854) shall be respectively incorporated with that Act. Borrowing Powers extended to Public Libraries (Scotland) Act.

10. Wherever a Public Museum or Library has been established under any Act relating to Public Libraries or Museums, or shall hereafter be established under either of the said before-mentioned Acts, a Public Library or Museum, as the Case may be, may at any Time be established in connection therewith without any further Proceedings being taken under the said Acts. A Library or Museum may be established in connection with any Museum or Library.

11. This Act may be cited as the Public Libraries Amendment Act (England and Scotland), 1866, and shall, so far as relates to Sections One, Two, Three, Four, and Five of this Act, be taken to be Part of the said Public Libraries Act, 1855, and shall be construed accordingly. Title of Act.

Public Libraries Act Amendment.

A

B I L L

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

To amend the Public Libraries Act.

(*Prepared and brought in by Mr. William Ewart and Mr. Dunlop.*)

Ordered, by The House of Commons, *to be Printed*, 25 *July* 1866.

[Bill 241.]

Under 1 *oz.*

A

B I L L

TO

Authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire by compulsory Purchase or otherwise certain Lands, Houses, and Premises in the Parish of Saint Margaret, Westminster; and for other Purposes.

WHEREAS under the Provisions of the following Acts, namely, the Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter Ninety-five (called the "Downing Street Public Offices Extension Act, 1855"), the Act of the Twenty-second Year of Her Majesty, Chapter Nineteen (called the "Public Offices Extension Act, 1859"), the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Thirty-three (called the "Supplemental Public Offices Extension Act, 1861"), the Act of the same Session, Chapter Eighty-eight, the Act of the Twenty-fifth and Twenty-sixth Years of Her Majesty, Chapter Seventy-four, and the Act of the Twenty-eighth and Twenty-ninth Years of Her Majesty, Chapter Thirty-one (called the "Public Offices Act, 1865"), the Commissioners of Her Majesty's Works and Public Buildings, as incorporated for the Purposes

18 & 19 Vict. c. 95.
22 Vict. c. 19.
24 & 25 Vict. c. 33.
24 & 25 Vict. c. 88.
25 & 26 Vict. c. 74.
28 & 29 Vict. c. 31.

Purposes of the said Acts, have acquired divers Lands and Tenements in and near Downing Street in the City of Westminster, as a Site for Offices for the Public Service, with suitable Approaches thereto, and such Offices are now in course of Erection:

And whereas it has been found necessary, for the Purpose of improving the Site of and the Approaches to such Public Offices, and of enlarging and improving the Station of the Metropolitan Police in King Street and Gardeners Lane adjoining thereto, that the said Commissioners should also be empowered to acquire the additional Lands described and shown on the Plans herein-after mentioned, but such Lands cannot be acquired without the Authority of Parliament:

Deposit of Plans and Books of Reference descriptive of Site.

And whereas duplicate Plans, describing the Situation of the said Lands (herein-after referred to as the prescribed Lands), with a Book of Reference thereto, containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers thereof, have been deposited with the Clerk of the Peace for the County of Middlesex at his Office at the Sessions House, Clerkenwell, and with the Clerk of the Westminster District Board of Works, and it is expedient that Powers should be given to the Commissioners of Her Majesty's Works and Public Buildings to purchase such Lands for the Purposes aforesaid:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Public Offices Site Act, 1866."

Incorporation of Commissioners.

Incorporation of Commissioners of Works for Purposes of Act.

2. The Commissioners of Her Majesty's Works and Public Buildings for the Time being (herein-after referred to as "the Commissioners"), as incorporated for the Purposes of the aforesaid Acts, shall be and continue so incorporated for the Purposes of this Act, with Power to hold Lands for the Purposes and subject to the Provisions of this Act.

Acquisition of Site.

Description of Purposes of Act.

3. The Purposes of this Act are, the Acquisition of additional Lands for the Site of the Public Offices aforesaid and the Approaches thereto, and for the Enlargement and Improvement of the Police Station aforesaid, and the constructing and doing such Works

Works and Things as are conducive to the Attainment of the above Purposes or any of them, or incidental thereto.

Power of Commissioners to purchase Lands.

4. The Commissioners may, out of any Monies placed at their Disposal by Parliament for that Object, purchase, take, and use for the Purposes of this Act all or any of the prescribed Lands.

Parts of Lands now vested in the Commissioners for the Purposes of the Westminster Bridge Act, 1853, to remain vested in them for the Purposes of this Act.

5. Such Parts of the prescribed Lands as are already vested in the Commissioners by virtue of the Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Forty-six (called the "Westminster Bridge Act, 1853"), shall remain vested in the Commissioners for the Purposes of this Act, and in all respects as if they had been acquired by them under and by virtue of this Act.

Commissioners to make good to Parishes of St. Margaret and St. John the Evangelist Deficiencies in Rates.

6. And whereas by the Forty-eighth Section of the said "Public Offices Extension Act, 1859," after reciting that by reason of taking the Lands mentioned in the Schedule to the said Act, and for the Purposes thereof, there might be Deficiencies in the Produce of the Assessments for the Relief of the Poor, and making certain Payments directed by Act of Parliament to be made out of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor of the Parishes of Saint Margaret and Saint John the Evangelist, Westminster, and reciting that the Rates of the said Parishes had been mortgaged, and were then charged with and subject to the Repayment of certain Sums amounting in the aggregate to Thirty-five thousand four hundred and three Pounds or thereabouts Principal Money, with Interest thereon, and which Charges it was calculated would be wholly paid off on or before the Twenty-fifth Day of December One thousand eight hundred and seventy-three, and that it was expedient that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid of the Poor Rates and other Rates to be raised and levied as therein-before mentioned, it was enacted, that the said Commissioners should from and after the Twenty-ninth Day of September One thousand eight hundred and fifty-nine, yearly and every Year until the Twenty-ninth Day of September One thousand eight hundred and seventy-three, by and out of such Monies as Parliament might from Time to Time place at their Disposal for that Purpose, pay and make good in manner therein mentioned to the said Parishes such Sum or Sums of Money not exceeding the Sum of Four hundred Pounds per Annum as should be deficient in respect of the said Rates by reason or means of taking the Land mentioned in the Schedule to the said Act for the Purposes thereof, such Deficiencies to be calculated and ascertained with reference to

the Sum of Three hundred and seventy-five Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and fifty-eight in respect of Houses and Buildings which might be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of the said Act of 1859; and by the Forty-ninth Section of the same Act it was provided that the First Payment in respect of such Deficiencies should be made on the Twenty-ninth Day of September One thousand eight hundred and sixty: And whereas by the said "Supplemental Public Offices Extension Act, 1861," it was enacted, that in consideration of the additional Land to be taken under the Powers of that Act, the maximum Sum of Four hundred Pounds per Annum, payable as in the said Act of 1859 was mentioned, for making up such Deficiency as aforesaid, should be increased to a Sum not exceeding Five hundred and twenty Pounds per Annum, and the annual Amount with reference to which such Deficiencies were to be calculated and ascertained as in the said Act of 1859 mentioned should be the Sum of Four hundred and ninety-eight Pounds, in lieu of the Sum of Three hundred and seventy-five Pounds in the said Act of 1859 mentioned; and that the First Payment in respect of the Deficiencies arising by reason of or with reference to the Land comprised in the Act of 1861 now in recital should be made on the Twenty-ninth Day of September One thousand eight hundred and sixty-two: And whereas by the Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one, Parts of the Lands acquired under the Provisions of the Acts mentioned in the Preamble to this Act were transferred to and vested in Her Majesty, Her Heirs and Successors, for the Service of the Government of India, and it was thereby enacted, that such Lands when so vested in Her Majesty should be and continue liable to the Payment of Eleven Thirty-fifth Parts of all the Parochial Rates and Taxes to which the Entirety of the Land acquired by the said Commissioners as aforesaid was or should be by Law subject and liable: And whereas by the said "Public Offices Act, 1865," it was enacted, that in consideration of the additional Land to be taken under the Provisions of that Act the maximum Sum of Five hundred and twenty Pounds per Annum payable as in the said Acts of 1859 and 1861 was mentioned for making up such Deficiency as aforesaid should be increased to a Sum not exceeding Six hundred and seventy-seven Pounds per Annum, and the annual Amount with reference to which such Deficiencies were to be calculated and ascertained as in the said Act of 1859 mentioned should be the Sum of Six hundred and fifty-four Pounds, in lieu of the Sum of Four hundred and ninety-eight Pounds in the said Act of 1861 mentioned, and that the First Payment in respect of

of the Deficiencies arising by reason of or with reference to the Land comprised in the said Act of 1865 now in recital should be made on the Twenty-ninth Day of September One thousand eight hundred and sixty-six: Now be it enacted, That in consideration of the additional Land to be taken under the Provisions of this Act the maximum Sum of Six hundred and seventy-seven Pounds per Annum payable as in the said Acts of 1859, 1861, and 1865 is mentioned for making up such Deficiency as aforesaid shall be increased to a Sum not exceeding . . . . . Pounds per Annum, and the annual Amount with reference to which such Deficiencies shall be calculated and ascertained as in the said Act of 1859 is mentioned shall be the Sum of . . . . . Pounds, in lieu of the Sum of Six hundred and fifty-four Pounds in the said Act of 1865 mentioned; and the First Payment in respect of the Deficiencies arising by reason of or with reference to the Lands to be taken under the Provisions of this Act shall be made on the Twenty-ninth Day of September One thousand eight hundred and sixty-seven: Provided always, that this Extension shall not increase the Sums payable by Her Majesty, Her Heirs or Successors, as aforesaid, in respect of the Lands vested in Her by the said Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one.

Power to Commissioners to enter upon Lands.

7. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving *Twenty-four Hours* previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same.

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

8. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except as hereby expressly varied, be incorporated with this Act, but,

(1) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned, that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed, or the Provisions relating to affording Access to the Special Act:

(2) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the "Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"

(3) The Term "Sheriff," used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster, or his Deputy:

(4) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

9. Upon the Purchase by the Commissioners of the prescribed Lands or any Part thereof (save as herein-after provided), all Rights of Way, Rights of laying down or of continuing any Pipes, Sewers, or Drains, on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Land or Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in the Commissioners, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said "Lands Clauses Consolidation Act, 1845."

As to Claims for Compensation by yearly Tenants.

10. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

11. The Limit for the compulsory Purchase of Lands under this Act shall be *Five Years*.

Power for the Commissioners to sell to the Receiver for the Metropolitan Police District.

12. It shall be lawful for the Commissioners (if they shall think fit), with the Consent in Writing of the Commissioners of Her Majesty's Treasury, to sell to the Receiver for the Metropolitan Police District, for the Purposes of the Acts of the Tenth Year of King George the Fourth, Chapter Forty-four, and Second and Third Victoria, Chapter Forty-seven, any Part or Parts of the prescribed Lands which they may have acquired by virtue of this Act, for such Price and subject to such Conditions as may be agreed on.

13. The

13. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things as may, in their Opinion, be necessary or expedient in order to carry into effect the Purposes of this Act or any of them. Powers to Commissioners to execute Works.

14. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses. As to Rights of Metropolitan Board of Works.

15. All Buildings erected on the prescribed Lands, either by the Commissioners or by the Receiver for the Metropolitan Police District, shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855." Buildings exempt from 18 & 19 Vict. c. 122.

Miscellaneous.

16. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury; but it shall not be necessary for any Vendor or any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet. No Purchase to be made without the Authority of the Treasury.

17. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners. Authentication of Notices.

18. All Land purchased by the Commissioners under the Authority of this Act shall, except as hereby otherwise provided, be vested in them for the Public Service, and shall be subject to the Provisions of the Act of the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act. Land purchased, vested for the Public Service, subject to Provisions of 15 & 16 Vict. c. 28.

19. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal. Contracts made by First Commissioner of Works to be valid.

 20. All

Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

20. All Monies payable to the Commissioners under the Provisions of this Act from any Sale to the Receiver for the Metropolitan Police District, or from the Sale of any Materials or otherwise, shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt, unstamped, shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

21. All Orders, which under this Act the Court of Chancery is empowered to make, on Motion or Petition, in relation to any Money paid into the Bank of England with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

22. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act, he shall forfeit a Sum not exceeding *Five Pounds* for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

23. No Deed, Bond, or other Instrment made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

24. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to the Commissioners for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment

Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

25. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office, to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Plan to be deposited in the Office of Works and to be open for Inspection.

Public Offices (Site).

A

BILL

To authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire by compulsory Purchase or otherwise certain Lands, Houses, and Premises in the Parish of Saint Margaret, Westminster; and for other Purposes.

(*Prepared and brought in by Mr. Cowper and Mr. Childers.*)

Ordered, by The House of Commons, *to be Printed*, 12 *February* 1866.

[Bill 10.]

Under 2 oz.

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B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire by compulsory Purchase or otherwise certain Lands, Houses, and Premises in the Parish of Saint Margaret, Westminster; and for other Purposes.

WHEREAS under the Provisions of the following Acts, namely, the Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter Ninety-five (called the "Downing Street Public Offices Extension Act, 1855"), the Act of the Twenty-second Year of Her Majesty, Chapter Nineteen (called the "Public Offices Extension Act, 1859"), the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Thirty-three (called the "Supplemental Public Offices Extension Act, 1861"), the Act of the same Session, Chapter Eighty-eight, the Act of the Twenty-fifth and Twenty-sixth Years of Her Majesty, Chapter Seventy-four, and the Act of the Twenty-eighth and Twenty-ninth Years of Her Majesty, Chapter Thirty-one (called the "Public Offices Act, 1865"), the Commissioners of Her Majesty's Works and Public Buildings, as incorporated for the Purposes

Preamble.
18 & 19 Vict. c. 95.
22 Vict. c. 19.
24 & 25 Vict. c. 33.
24 & 25 Vict. c. 88.
25 & 26 Vict. c. 74.
28 & 29 Vict. c. 31.

Purposes of the said Acts, have acquired divers Lands and Tenements in and near Downing Street in the City of Westminster, as a Site for Offices for the Public Service, with suitable Approaches thereto, and such Offices are now in course of Erection:

And whereas it has been found necessary, for the Purpose of improving the Site of and the Approaches to such Public Offices, and of enlarging and improving the Station of the Metropolitan Police in King Street and Gardeners Lane adjoining thereto, that the said Commissioners should also be empowered to acquire the additional Lands described and shown on the Plans herein-after mentioned, but such Lands cannot be acquired without the Authority of Parliament:

Deposit of Plans and Books of Reference descriptive of Site.

And whereas duplicate Plans, describing the Situation of the said Lands (herein-after referred to as the prescribed Lands), with a Book of Reference thereto, containing the Names of the Owners and Lessees or reputed Owners and Lessees and of the Occupiers thereof, have been deposited with the Clerk of the Peace for the County of Middlesex at his Office at the Sessions House, Clerkenwell, and with the Clerk of the Westminster District Board of Works, and it is expedient that Powers should be given to the Commissioners of Her Majesty's Works and Public Buildings to purchase such Lands for the Purposes aforesaid:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Public Offices Site Act, 1866."

Incorporation of Commissioners.

Incorporation of Commissioners of Works for Purposes of Act.

2. The Commissioners of Her Majesty's Works and Public Buildings for the Time being (herein-after referred to as "the Commissioners"), as incorporated for the Purposes of the aforesaid Acts, shall be and continue so incorporated for the Purposes of this Act, with Power to hold Lands for the Purposes and subject to the Provisions of this Act.

Acquisition of Site.

Description of Purposes of Act.

3. The Purposes of this Act are, the Acquisition of additional Lands for the Site of the Public Offices aforesaid and the Approaches thereto, and for the Enlargement and Improvement of the Police Station aforesaid, and the constructing and doing such Works

Works and Things as are conducive to the Attainment of the above Purposes or any of them, or incidental thereto.

Power of Commissioners to purchase Lands.

4. The Commissioners may, out of any Monies placed at their Disposal by Parliament for that Object, purchase, take, and use for the Purposes of this Act all or any of the prescribed Lands.

Parts of Lands now vested in the Commissioners for the Purposes of the Westminster Bridge Act, 1853, to remain vested in them for the Purposes of this Act.

5. Such Parts of the prescribed Lands as are already vested in the Commissioners by virtue of the Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Forty-six (called the "Westminster Bridge Act, 1853"), shall remain vested in the Commissioners for the Purposes of this Act, and in all respects as if they had been acquired by them under and by virtue of this Act.

Commissioners to make good to Parishes of St. Margaret and St. John the Evangelist Deficiencies in Rates.

6. And whereas by the Forty-eighth Section of the said "Public Offices Extension Act, 1859," after reciting that by reason of taking the Lands mentioned in the Schedule to the said Act, and for the Purposes thereof, there might be Deficiencies in the Produce of the Assessments for the Relief of the Poor, and making certain Payments directed by Act of Parliament to be made out of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor of the Parishes of Saint Margaret and Saint John the Evangelist, Westminster, and reciting that the Rates of the said Parishes had been mortgaged, and were then charged with and subject to the Repayment of certain Sums amounting in the aggregate to Thirty-five thousand four hundred and three Pounds or thereabouts Principal Money, with Interest thereon, and which Charges it was calculated would be wholly paid off on or before the Twenty-fifth Day of December One thousand eight hundred and seventy-three, and that it was expedient that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid of the Poor Rates and other Rates to be raised and levied as therein-before mentioned, it was enacted, that the said Commissioners should from and after the Twenty-ninth Day of September One thousand eight hundred and fifty-nine, yearly and every Year until the Twenty-ninth Day of September One thousand eight hundred and seventy-three, by and out of such Monies as Parliament might from Time to Time place at their Disposal for that Purpose, pay and make good in manner therein mentioned to the said Parishes such Sum or Sums of Money not exceeding the Sum of Four hundred Pounds per Annum as should be deficient in respect of the said Rates by reason or means of taking the Land mentioned in the Schedule to the said Act for the Purposes thereof, such Deficiencies to be calculated and ascertained with reference to

the Sum of Three hundred and seventy-five Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and fifty-eight in respect of Houses and Buildings which might be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of the said Act of 1859; and by the Forty-ninth Section of the same Act it was provided that the First Payment in respect of such Deficiencies should be made on the Twenty-ninth Day of September One thousand eight hundred and sixty: And whereas by the said "Supplemental Public Offices Extension Act, 1861," it was enacted, that in consideration of the additional Land to be taken under the Powers of that Act, the maximum Sum of Four hundred Pounds per Annum, payable as in the said Act of 1859 was mentioned, for making up such Deficiency as aforesaid, should be increased to a Sum not exceeding Five hundred and twenty Pounds per Annum, and the annual Amount with reference to which such Deficiencies were to be calculated and ascertained as in the said Act of 1859 mentioned should be the Sum of Four hundred and ninety-eight Pounds, in lieu of the Sum of Three hundred and seventy-five Pounds in the said Act of 1859 mentioned; and that the First Payment in respect of the Deficiencies arising by reason of or with reference to the Land comprised in the Act of 1861 now in recital should be made on the Twenty-ninth Day of September One thousand eight hundred and sixty-two: And whereas by the Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one, Parts of the Lands acquired under the Provisions of the Acts mentioned in the Preamble to this Act were transferred to and vested in Her Majesty, Her Heirs and Successors, for the Service of the Government of India, and it was thereby enacted, that such Lands when so vested in Her Majesty should be and continue liable to the Payment of Eleven Thirty-fifth Parts of all the Parochial Rates and Taxes to which the Entirety of the Land acquired by the said Commissioners as aforesaid was or should be by Law subject and liable: And whereas by the said "Public Offices Act, 1865," it was enacted, that in consideration of the additional Land to be taken under the Provisions of that Act the maximum Sum of Five hundred and twenty Pounds per Annum payable as in the said Acts of 1859 and 1861 was mentioned for making up such Deficiency as aforesaid should be increased to a Sum not exceeding Six hundred and seventy-seven Pounds per Annum, and the annual Amount with reference to which such Deficiencies were to be calculated and ascertained as in the said Act of 1859 mentioned should be the Sum of Six hundred and fifty-four Pounds, in lieu of the Sum of Four hundred and ninety-eight Pounds in the said Act of 1861 mentioned, and that the First Payment in respect of

of the Deficiencies arising by reason of or with reference to the Land comprised in the said Act of 1865 now in recital should be made on the Twenty-ninth Day of September One thousand eight hundred and sixty-six: Now be it enacted, That in consideration of the additional Land to be taken under the Provisions of this Act the maximum Sum of Six hundred and seventy-seven Pounds per Annum payable as in the said Acts of 1859, 1861, and 1865 is mentioned for making up such Deficiency as aforesaid shall be increased to a Sum not exceeding Fourteen hundred Pounds per Annum, and the annual Amount with reference to which such Deficiencies shall be calculated and ascertained as in the said Act of 1859 is mentioned shall be the Sum of Thirteen hundred and thirty Pounds, in lieu of the Sum of Six hundred and fifty-four Pounds in the said Act of 1865 mentioned; and the First Payment in respect of the Deficiencies arising by reason of or with reference to the Lands to be taken under the Provisions of this Act shall be made on the Twenty-ninth Day of September One thousand eight hundred and sixty-seven: Provided always, that this Extension shall not increase the Sums payable by Her Majesty, Her Heirs or Successors, as aforesaid, in respect of the Lands vested in Her by the said Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one.

Power to Commissioners to enter upon Lands.

7. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same.

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

8. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except as hereby expressly varied, be incorporated with this Act, but,

(1) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned, that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed, or the Provisions relating to affording Access to the Special Act:

(2) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the "Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"

(3) The Term "Sheriff," used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster, or his Deputy:

(4) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

9. Upon the Purchase by the Commissioners of the prescribed Lands (save as herein-after provided), all Rights of Way, Rights of laying down or of continuing any Pipes, Sewers, or Drains, on, over, through, or under King Street, between Charles Street and Downing Street, or on, over, through, or under the prescribed Lands, or any Part thereof, and all other Rights or Easements in or relating to the said Portion of King Street and such Lands or any Part thereof, shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in the Commissioners, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said "Lands Clauses Consolidation Act, 1845."

As to Claims for Compensation by yearly Tenants.

10. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

11. The Limit for the compulsory Purchase of Lands under this Act shall be Three Years.

Power for the Commissioners to sell to the Receiver for the Metropolitan Police District.

12. It shall be lawful for the Commissioners (if they shall think fit), with the Consent in Writing of the Commissioners of Her Majesty's Treasury, to sell to the Receiver for the Metropolitan Police District, for the Purposes of the Acts of the Tenth Year of King George the Fourth, Chapter Forty-four, and Second and Third Victoria, Chapter Forty-seven, any Part or Parts of the prescribed Lands which they may have acquired by virtue of this Act, for such Price and subject to such Conditions as may be agreed on.

13. The

13. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things as may, in their Opinion, be necessary or expedient in order to carry into effect the Purposes of this Act or any of them. Powers to Commissioners to execute Works.

14. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses. As to Rights of Metropolitan Board of Works.

15. All Buildings erected on the prescribed Lands, either by the Commissioners or by the Receiver for the Metropolitan Police District, shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855." Buildings exempt from 18 & 19 Vict. c. 122.

Miscellaneous.

16. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury; but it shall not be necessary for any Vendor or any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet. No Purchase to be made without the Authority of the Treasury.

17. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners. Authentication of Notices.

18. All Land purchased by the Commissioners under the Authority of this Act shall, except as hereby otherwise provided, be vested in them for the Public Service, and shall be subject to the Provisions of the Act of the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act. Land purchased, vested for the Public Service, subject to Provisions of 15 & 16 Vict. c. 28.

19. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal. Contracts made by First Commissioner of Works to be valid.

Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

20. All Monies payable to the Commissioners under the Provisions of this Act from any Sale to the Receiver for the Metropolitan Police District, or from the Sale of any Materials or otherwise, shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt, unstamped, shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

21. All Orders, which under this Act the Court of Chancery is empowered to make, on Motion or Petition, in relation to any Money paid into the Bank of England with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

22. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act, he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

23. No Deed, Bond, or other Instrment made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

24. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to the Commissioners for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment

Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

25. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office, to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Plan to be deposited in the Office of Works and to be open for Inspection.

Public Offices (Site).

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B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire by compulsory Purchase or otherwise certain Lands, Houses, and Premises in the Parish of Saint Margaret, Westminster; and for other Purposes.

(*Prepared and brought in by Mr. Cowper and Mr. Childers.*)

Ordered, by The House of Commons, *to be Printed,* 12 *March* 1866.

[Bill 62.]

Under 2 oz.

Public Schools Bill. [H.L.]

ARRANGEMENT OF CLAUSES.

Preamble.

Preliminary.

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25. Saving Clause as to interested Parties.
26. Extension of Time for Governing Bodies to make Statutes.

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B I L L

INTITULED

An Act to make further Provision for the good Government and Extension of certain Public Schools.

WHEREAS the Commissioners appointed under a Commission issued in the Year One thousand eight hundred and sixty-one have made their Report, and thereby recommended various Changes in the Government, Management, and Studies of the Schools herein-after mentioned, with a view to promote their greater Efficiency, and to carry into effect the main Objects of the Founders thereof; but such Changes cannot be carried into effect without the Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Preliminary.

1. This Act may be cited for all Purposes as the "Public Schools Act, 1866." Short Title of Act.

Definition of "existing" and "School."

2. "Existing" shall in this Act mean existing at the Time of the passing thereof:

"School" includes, in the Case of Eton and Winchester, Eton College and Winchester College.

Definition of "Governing Body."

3. "Governing Body" of a School shall for the Purposes of this Act mean—

(1.) At Eton, the Provost and Fellows:
(2.) At Winchester, the Warden and Fellows:
(3.) At Westminster, the Dean and Chapter:
(4.) At Charterhouse, the Governors:
(5.) At Harrow, the Governors:
(6.) At Rugby, the Trustees:
(7.) At Shrewsbury, the Trustees:

Provided that from and after the passing of this Act the Governing Body of Shrewsbury School may elect their own Chairman, notwithstanding any Law or Custom to the contrary.

Definition of "Boys on the Foundation."

4. "Boys on the Foundation" shall mean—

(1.) At Eton, the King's Scholars or Scholars belonging to the College of Eton:
(2.) At Winchester, the Scholars belonging to the College of St. Mary, Winchester:
(3.) At Westminster, the Queen's Scholars and Bishop Williams' Scholars:
(4.) At Charterhouse, the Foundation Scholars or Boys nominated by the Governors, and entitled to receive gratuitous Education:
(5.) At Harrow, the Boys entitled to Education wholly or partially gratuitous:
(6.) At Rugby, the Boys entitled to Education wholly or partially gratuitous by reason of their being Sons of Residents in Rugby or within a certain Distance of Rugby:
(7.) At Shrewsbury, the Boys entitled to Education wholly or partially gratuitous by reason of their being Sons of Burgesses.

Statutes by Governing Bodies.

Governing Body to make Statutes, under Restrictions.

5. Subject to the Restrictions herein-after mentioned, the Governing Body of every School to which this Act applies may at any Time before the First Day of January One thousand eight hundred and sixty-eight, or within such further Time as may be determined by

by Her Majesty in Council, as herein-after mentioned, make Statutes with respect to all or any of the following Matters:

(1.) With respect to the Boys on the Foundation, to remove, wholly or partially, local or other Restrictions on the Class of Boys entitled to become Boys on the Foundation, to make Admission on the Foundation wholly or partially dependent on Proficiency in a competitive or other Examination, and to define the Age for the Admission of such a Boy, and the Age at which he may be required to leave the School:

(2.) With respect to the Privileges and Number of Boys on the Foundation, to abridge or extend such Number and Privileges whenever, from Change of Circumstances, it seems expedient to abridge or extend them:

(3.) With respect to Scholarships, Exhibitions, or other Emoluments, either tenable at the School, or tenable after quitting the School by Boys educated thereat, to do all or any of the following Things; that is to say,

a. To consolidate any Two or more of such Emoluments; to divide any single Emolument into Two or more; to convert any Scholarship or Exhibition tenable at the School into a Prize or Prizes; to remove any Restrictions on the Election or Appointment to such Emoluments; to open to general or limited Competition within the School Emoluments now conferred otherwise than by competitive Examination; and to define or vary the Subjects of Examination for any Emolument; provided that the foregoing Powers shall not extend to any Emolument created within Fifty Years before the passing of this Act; and,

b. To convert Emoluments attached to any particular College at Oxford or Cambridge, but not payable out of Funds held by such College, into Emoluments tenable at any College in either University:

(4.) With respect to the Mode and Conditions of Appointment to any Ecclesiastical Benefice the Patronage of which is vested in the Governing Body as such, or to which Persons educated at or connected with the School have an exclusive or preferential Claim:

(5.) With respect to the Number of the Masters, and their Salaries so far as they are payable out of Property belonging to or held in trust for the School, with Power to abolish any Mastership other than the Head Mastership:

(6.) With respect to the Disposal of the surplus Income of the Property of the School:

(7.) In the Case of Eton and Winchester, with respect to any Collegiate Office which does not entitle the Holder to a Place in the Governing Body.

Consolidation and Amendment of existing Statutes and Regulations.

6. The Governing Body of any School to which this Act applies may, by Statute made in manner herein provided, consolidate and amend any existing Statutes or Regulations relating to such School, whether in force by Act of Parliament, Charter, Judicial Decree, Instrument of Endowment, or otherwise, with Power to repeal any Statute or Regulation that has in the Opinion of that Body become obsolete, or has become incapable of Observance by reason of Changes authorized to be made under this Act; and the Powers given by this Act shall be in addition to and not in derogation of any other Powers to the like Effect that may be vested in any Governing Body under any existing Act of Parliament, Charter, Judicial Decree, Instrument of Endowment, or otherwise.

Power of Governing Bodies to alter their Constitutions.

7. The Governing Body of each of the Schools to which this Act applies may at any Time before the First Day of January One thousand eight hundred and sixty-eight, or within such further Time as may be determined by Her Majesty in Council as herein-after mentioned, make a Statute for the Alteration of the Constitution of such Governing Body in such Manner as may be deemed expedient.

Restrictions on making Statutes.

8. The following Restrictions shall be imposed on the Governing Body of any School making Statutes under this Act:

(1.) Where Two or more Schools are interested in any Scholarship, Exhibition, or Emolument, a Statute made by the Governing Body of One School shall not affect the Interest of any other School, except with the Consent of a Majority of the Governors, Trustees, or other Governing Body of the last-mentioned School:

(2.) Where any Statute proposed to be made by the Governing Body of a School affects any Scholarship, Exhibition, or Emolument attached to any College in either of the Universities of Oxford and Cambridge, Notice in Writing of such intended Statute shall be given to the Head of such College Two Months at least before such Statute is submitted to the Special Commissioners as herein-after mentioned:

(3.) No

(3.) No Statute made by the Governing Body of a School under this Act shall be of any Validity until the same has been approved by Her Majesty in Council, as herein-after mentioned, but when so approved all the Requisitions of this Act in respect thereto shall be deemed to have been duly complied with, and the Statute shall be of the same Force as if it had been contained in this Act, subject nevertheless to the Power of Alteration or Repeal herein-after conferred.

Statutes to be laid before the Queen in Council.

9. All Statutes made by the Governing Body of a School under the Powers herein contained shall be submitted to the Special Commissioners herein-after appointed, and if approved by them, be laid before Her Majesty in Council, and be forthwith published in the London Gazette; and it shall be lawful for the Trustees of any Scholarship, Exhibition, or Emolument to which such Statute may relate, or for any Person or Body Corporate directly affected thereby, within Two Months after such Publication in the London Gazette, to petition Her Majesty in Council, praying Her Majesty to withhold Her Approbation from the whole or any Part of such Statute. The Petition shall be referred by Her Majesty by Order in Council for the Consideration and Advice of Five Members of Her Privy Council, of whom Two, not including the Lord President, shall be Members of the Judicial Committee, and such Five Members may, if they think fit, admit any Petitioner or Petitioners to be heard by Counsel in support of his or their Petition.

Approval of Her Majesty in Council.

10. It shall be lawful for Her Majesty to signify Her Approval or Disapproval of any Statute or Part of a Statute made by the Governing Body of a School in pursuance of this Act at the Times following; that is to say, where a Petition has been presented against such Statute at any Time after the Hearing or Withdrawal of such Petition, and where no such Petition has been presented at any Time after the Expiration of the Time limited by this Act for the Presentation of a Petition. If Her Majesty signify Her Disapproval of any Statute, or any Part thereof, the Governing Body of the School may frame another Statute in that Behalf, subject to the same Conditions as to the Approval of the Special Commissioners and of Her Majesty in Council as are imposed by this Act in relation to the making of original Statutes by the Governing Body of a School, and so on from Time to Time as often as Occasion requires, so that such Statutes are made before the said First Day of January One thousand eight hundred and sixty-eight, or within such further Time as

Her Majesty may by Order in Council appoint in manner hereinafter mentioned.

Repeal of Statutes.

11. Any Statute made in exercise of the Powers of this Act may, at any Time or Times after the Expiration of the Powers by this Act conferred on the Special Commissioners, be repealed or altered by the Governing Body, in the same Manner and subject to the same Provisions, with the Exception of those relating to the Special Commissioners, in and subject to which Statutes may be made by the Governing Body.

Regulations by Governing Bodies.

General Power to make Regulations.

12. It shall be lawful for the Governing Body of every School to which this Act applies, notwithstanding anything contained in any Act of Parliament, Charter, Statute, Decree, Instrument of Foundation, or Endowment or other Instrument, and notwithstanding any Custom, from Time to Time to make, alter, or annul such Regulations as they may deem it expedient to make, alter, or annul, with respect to any of the following Matters:

(1.) With respect to the Number of Boys, other than Boys on the Foundation, in the School, their Ages, and the Conditions of Admission to the School:

(2.) With respect to the Mode in which the Boys, whether on the Foundation or not, are to be boarded and lodged, and the Conditions on which Leave to keep a Boarding House should be given:

(3.) With respect to the Payments to be made for the Maintenance and Education of the Boys, other than Boys on the Foundation, including Fees and Charges of all Kinds, and to Payments by Boys on the Foundation in respect of anything which they are not entitled to receive gratuitously: And with respect to the Application of the Monies to be derived from those Sources, and of Monies paid out of the Income of the Foundation on account of the Instruction of Boys on the Foundation:

(4.) With respect to Attendance at Divine Service, and, where the School has a Chapel of its own, with respect to the Chapel Services and the Appointment of Preachers:

(5.) With respect to the Times and Length of the ordinary Holidays:

(6.) With respect to the Sanitary Condition of the School and of the Premises connected therewith:

(7.) With respect to the Introduction of new Branches of Study, and the Suppression of old ones, and the relative Importance

portance to be assigned to each Branch of Study, and with respect to the System of Promotion in the School:

(8.) With respect to the Number of the Masters:

(9.) With respect to the general Disposal (otherwise than by way of Mortgage or Alienation) of any surplus Income belonging to the School in such Manner as may, in the Opinion of the Governing Body, best promote the Efficiency of the School as a Place of Education:

Provided that the Governing Body, before making Regulations on any Subject affecting the Management or Instruction of the School, shall consult the Head Master in such a Manner as to give him full Opportunity for the Expression of his Views.

Masters.

Appointment of Masters.

13. The Head Master of every School to which this Act applies shall be appointed by and hold his Office at the Pleasure of the Governing Body. All other Masters shall be appointed by and hold their Offices at the Pleasure of the Head Master. No Candidate for any Mastership shall be entitled to Preference by reason of his having been a Scholar of or educated at the School of which he desires to be Master: Provided nevertheless, that nothing herein contained shall restrain the Commissioners, if they shall think fit, upon sufficient Cause shown to them by the Governing Bodies of Winchester and Eton respectively, or either of them, from authorizing such Governing Bodies or Body to retain in their own Hands as heretofore the Appointments of Lower Master; all other Masters being appointed, as herein provided, by the Head Master.

Boys on the Foundation.

Scheme for Harrow and Rugby.

14. The Governing Bodies of Harrow and Rugby Schools respectively shall, before the First Day of January One thousand eight hundred and sixty-eight, or such further Time as may be determined by Her Majesty in Council as herein-after mentioned, submit to the Special Commissioners herein-after named, and, if approved of by them, lay before Her Majesty in Council, a Scheme or Schemes for appropriating a suitable Part of the Revenues of those Foundations to the Promotion of Education within the Parish of Harrow and in the Town and Neighbourhood of Rugby, in such Manner as may appear best, regard being had to the local Objects contemplated by the Founders of those Schools, and to the altered Circumstances of the present Time; and any such Scheme may, if it be thought expedient, provide for the Maintenance within the Locality of a separate School, either in connexion or not in connexion with the existing School. The Parish of Harrow for the Purposes of this

Section shall be deemed to include all such Hamlets and Places as were included within the Parish at the Date of the Will of John Lyon, the Founder of the Harrow School. Provided that Two clear Months before any such Scheme or Schemes shall be so submitted to the Special Commissioners the same shall be deposited in some public Place in the several Towns of Harrow and Rugby accessible to the Persons interested in the same, and Notice thereof shall be publicly given with the view of enabling such Persons to communicate to the Governing Bodies any Objections they may entertain to such Schemes or any Part thereof.

Appointment of Commissioners.

15. The several Persons herein-after named, (that is to say,)

The Most Reverend Father in God, William, Lord Archbishop of York;

The Right Honourable Henry Howard Molyneux, Earl of Carnarvon;

The Right Honourable Dudley, Earl of Harrowby, Knight of the Garter;

The Right Honourable Sir Edmund Walker Head, Baronet, Knight Commander of the Bath;

Sir William Heathcote, Baronet;

Sir John George Shaw Lefevre, Knight Commander of the Bath;

The Reverend Joseph Williams Blakesley, Bachelor in Divinity, One of the Canons Residentiary of Canterbury,

shall be Special Commissioners for the Purposes of this Act, and shall have a Common Seal, and Three of the said Commissioners shall be a Quorum.

Duration of Powers of Commissioners.

16. The Powers conferred on the Special Commissioners by this Act shall be in force until the First Day of January One thousand eight hundred and sixty-nine, and it shall be lawful for Her Majesty, if She think fit, by and with the Advice of Her Privy Council, to continue the same until the First Day of January One thousand eight hundred and seventy.

Vacancy in Number of Commissioners.

17. If any Vacancy occurs in the Number of the Special Commissioners by means of Death, Resignation, or Incapacity to act, Her Majesty may fill up such Vacancy.

Commissioners empowered to require Production of Documents, &c.

18. In the Exercise of the Authorities vested by this Act in the Special Commissioners they shall have Power to require from any Officer of any School to which this Act applies the Production of any Documents or Accounts relating to such School, and any Information relating to the Revenues, Statutes, Usages, or Practice thereof.

19. On

Powers of Special Commissioners.

19. On and after the First Day of January One thousand eight hundred and sixty-eight, or such further Time as may be determined by Her Majesty, as herein-after mentioned, all such Powers of making Statutes, of making Regulations, and of making and proposing Schemes, as are by this Act vested in the Governing Body of any School to which this Act applies, save and except the Power of altering by Statute the Constitution of the Governing Body, shall pass to and vest in the Special Commissioners appointed under this Act (subject nevertheless, in the Case of a Statute affecting any Scholarship, Exhibition, or Emolument in any School other than that for which the Statute is made, to the Restrictions by this Act imposed on the Governing Body in making a like Statute); and the Special Commissioners may exercise such Powers in respect of all Matters in which any Governing Body may have failed to exercise the same in a Manner approved by the Special Commissioners.

The Commissioners shall, in the Case of a Regulation, Two Months at the least before finally making the same, and, in the Case of a Statute or Scheme, Two Months at the least before laying the same before Her Majesty in Council, serve a Copy of such Regulation, Statute, or Scheme on the Governing Body of the School to which it relates, (and if it be a Statute affecting any Scholarship, Exhibition, or Emolument attached to any College in either of the Universities, on the Head of such College,) and hear all Objections that such Governing Body or College may be desirous of urging against the same.

Any Regulation made by the Special Commissioners, unless an express Power of altering the same is vested in the Governing Body, shall be deemed to be in the Nature of a Statute, and be alterable only in manner in which Statutes are capable of being altered in pursuance of this Act; but except in so far as relates to Regulations made by the Commissioners, and except during such Time as the Powers of the Special Commissioners under this Section remain in force, the Power of the Governing Body to make, alter, or annul Regulations shall remain unaffected by the Power hereby given to the Commissioners of making the same.

Any Statute or Scheme made by the Special Commissioners in pursuance of this Act shall be subject to the Provisions herein-before contained as to the same being laid before Her Majesty in Council, and as to the Approval or Disapproval of Her Majesty, and as to its subsequent Repeal or Alteration, with the Consent of Her Majesty in Council, as if it were a Statute made by the Governing Body of the School which had been approved by the Special Commissioners, with this Addition, that the Approval or Disapproval of Her Majesty to any such Statute or Scheme as last aforesaid shall

not be signified until such Statute or Scheme has been laid before both Houses of Parliament for a Period of not less than Forty Days.

Miscellaneous.

Scheme for Appropriation of Estate to Westminster School.

20. It shall be lawful for the Ecclesiastical Commissioners for England, and the Governing Body of Westminster School, if they can agree, or if not then for either of those Bodies, at any Time before the First Day of January One thousand eight hundred and sixty-eight, or such further Time as may be determined by Her Majesty in manner herein-after mentioned, to submit to the Special Commissioners, and if approved of by them to lay before Her Majesty in Council, a Scheme for vesting in any Governing Body of Westminster School appointed under this Act and their Successors in Fee Simple such a Portion of the Chapter Estates as may be adequate to the Support of the School on a suitable Scale, and also for vesting in them such Portions of the said Chapter Estates as are necessarily and exclusively connected with the School, and essential to its Well-being, such last-mentioned Portions to comprise the Dormitory, with its Appurtenances, the Hall, the School and Class Rooms, the covered Play Room, the Houses of the Head Master and Under Master, the Three Boarding Houses, and the Play Grounds in Great Dean's Yard and Vincent Square, and such additional Buildings as may be erected or adapted for the Purposes of the School, but so and in such Manner that the said last-mentioned Portions shall revert to the Dean and Chapter of Westminster, or to the Ecclesiastical Commissioners, in the event of the Removal of the School from its present Site.

If the said Bodies do not concur in a joint Scheme, either of them promoting a separate Scheme shall forward a Copy thereof to the other; and every Scheme promoted under the Powers of this Act shall be subject to the same Provisions, and if approved shall take effect and be subject to Alteration, in the same Manner as Statutes made by a Governing Body.

Scheme for Buildings.

21. The Governing Body of any of the Schools to which this Act applies may at any Time before the First Day of January One thousand eight hundred and sixty-eight, or such further Time as may be determined by Her Majesty in Council, as herein-after mentioned, submit to the Special Commissioners and if approved of by them may lay a Scheme before Her Majesty in Council for making any Additions to or Alterations in the Buildings of a School, and for raising Monies for that Purpose by Mortgage of any Property belonging to or held in trust for the School, with Power to suspend any Scholarships or Exhibitions payable out of such Property;

Property; they may also in any such Scheme make Provisions for exchanging any Lands belonging to such School for other Lands; and every such Scheme shall be subject to the same Provisions, and if approved shall take effect and be subject to Alteration, in the same Manner as Statutes made by a Governing Body.

Livings to which Shrewsbury School has a preferential Claim.

22. Whereas the Right of Appointment to Vacancies in the Vicarage of Cherbury and the Perpetual Curacies of St. Mary's Astley and Clive is vested in Trustees appointed by the Lord Chancellor, in pursuance of the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, Chapter Seventy-six, intituled "An Act to "provide for the Regulation of Municipal Corporations in England "and Wales:" And whereas the Sons of certain Burgesses educated at Shrewsbury School and the Head and Second Master of the said School have a preferential Claim to be appointed to the said Vicarages and Curacies: Be it enacted, That the said Trustees may at any Time after the passing of this Act, upon the Requisition of the Governing Body of the said School, sell the Right of Presentation or Appointment to the said Vicarages and Curacies, or any of them, and pay over the Monies arising from such Sale to the Governing Body of the School, to be applied by that Body for the Benefit of the School.

Scheme for constituting Parish of Eton a distinct Vicarage.

23. The Ecclesiastical Commissioners for England shall lay before Her Majesty in Council such Scheme as may appear to the said Commissioners to be best adapted for relieving the Provost of Eton from the Spiritual Charge of the Parish of Eton, and constituting the same a distinct Vicarage in the Gift of the Provost and Fellows of Eton, with an Endowment out of the Revenues of Eton College of an annual Sum of Six hundred Pounds, or, in case the Vicar is provided with a Residence at the Expense of the College, such less Sum as the said Commissioners shall judge sufficient; and any such Scheme when approved of by Her Majesty in Council shall be of the same Force as if it had been contained in this Act.

Power to remove certain Schools to other Sites.

24. The Governing Body of Westminster School or Charterhouse School may, if they deem it expedient, at any Time after the passing of this Act, lay a Scheme before Her Majesty in Council for the Removal of the School from its actual Site to some other Place, and may provide in such Scheme for the Sale or Mortgage of the existing Property of the Corporate Body maintaining the School, or for demising such Property for any Terms of Years at any real or nominal Rents, for the Purchase of other Property, and the Erection of new Buildings, and generally for all Matters required to effect

such Removal in a convenient Manner; and any such Scheme shall be subject to the same Provisions, and if approved shall take effect and be subject to Alteration, in the same Manner as Statutes made by a Governing Body:

Provided, firstly, that any Scheme made under this Section before the Expiration of the Powers by this Act conferred on the Special Commissioners shall be approved of by them before being laid before Her Majesty in Council; secondly, that the Power of making a Scheme under this Section shall not pass to the Special Commissioners after the First of January One thousand eight hundred and sixty-eight, or such further Time as may be determined by Her Majesty, as herein-after mentioned, but shall continue vested in the Governing Bodies of the said Schools respectively.

Any Person or Body of Persons, corporate or unincorporate, having the Control of Funds applicable to Educational Purposes, shall have Power, out of any Funds held by them for such Purposes, to purchase or take a Lease of the Property or any Part of the Property of either of the Corporate Bodies maintaining the said Schools when sold or leased under this Section, and to appropriate the same for Educational Purposes; but the Vendors shall not be responsible for the due Appropriation by the Purchasers of the Property bought by them.

Saving Clause as to interested Parties.

25. Nothing contained in this Act, or done in pursuance of the Powers thereby conferred, shall prejudice the Interest of any Member of the Governing Body or Master of any of the said Schools who may have been appointed to his Office previously to the passing of "The Public Schools Act, 1864," or the Interest of any other Member of the Collegiate Bodies of Eton or Winchester who may have been appointed to his Office previously to the passing of this Act, or the Interest of any Person in any Foundation or other Scholarship, Exhibition, or other like Emolument held by him at the Time of the passing of this Act.

Extension of Time for Governing Bodies to make Statutes.

26. Her Majesty may, by Order in Council, at any Time before the First of January One thousand eight hundred and sixty-eight, extend the Time within which Governing Bodies of Schools are by this Act empowered to make Statutes to a Period not exceeding the First Day of January One thousand eight hundred and sixty-nine.

Public Schools.

[H. L.]

A

BILL

INTITULED

An Act to make further Provision for the good Government and Extension of certain Public Schools.

Brought from the Lords 19 *June* 1866.

Ordered, by The House of Commons, *to be Printed*, 16 *July* 1866.

[Bill 212.]

Under 2 *oz.*

Public Works, Harbours, &c. Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Power to charge 360,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 90,000*l.* per Quarter.
2. Power to charge 350,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 87,500*l.* per Quarter for Harbours, &c.
3. Power to charge 500,000*l.* upon the Consolidated Fund for Cattle Diseases, &c.
4. Power to charge 250,000*l.* upon the Consolidated Fund for Labouring Classes Dwellings, &c.
5. Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund.
6. Money paid into the Bank to the Account of the Commissioners for executing this Act to be carried to and be made Part of the Consolidated Fund.
7. Commissioners for executing recited Acts to be Commissioners together with others for executing this Act.
8. Commissioners to sign Declaration before acting.
9. Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt.
10. Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.
11. Commissioners for Reduction of the National Debt to furnish annual Account of the Fund for Audit.
12. Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

A

B I L L

TO

Authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and for the Employment of the Poor; and for the Purposes of The Harbours and Passing Tolls Acts, 1861, The Cattle Diseases Prevention Act, 1866, and The Labouring Classes Dwellings Act, 1866.

WHEREAS the following Acts have been passed; videlicet, an Act of the Fifty-seventh Year of King George the Third, Chapter Thirty-four; an Act of the same Session of Parliament, Chapter One hundred and twenty-four; an Act of the First Year of King George the Fourth, Chapter Sixty; an Act of the First and Second Years of King George the Fourth, Chapter One hundred and eleven; an Act of the Third Year of King George the Fourth, Chapter Eighty-six; an Act of the Fourth Year of King George the Fourth, Chapter Sixty-three; an Act of the Fifth Year of King George the Fourth, Chapter Thirty-six; an Act of the same Session of Parliament, Chapter Seventy-seven; an Act of the Sixth Year of King George the Fourth, Chapter Thirty-five; an Act of the Seventh Year of King George the Fourth, Chapter Thirty; an Act of the Seventh and Eighth Years of King George the Fourth, Chapter Twelve; an Act of the same Session of Parliament, Chapter Forty-seven; an Act of the First and Second Years of King William the Fourth, Chapter Twenty-four; an Act of the Third

Preamble.
57 G. 3. c. 34.
57 G. 3. c. 124.
1 G. 4. c. 60.
1 & 2 G. 4. c. 111.
3 G. 4. c. 86.
4 G. 4. c. 63.
5 G. 4. c. 36.
5 G. 4. c. 77.
6 G. 4. c. 35.
7 G. 4. c. 30.
7 & 8 G. 4. c. 12.
7 & 8 G. 4. c. 47.
1 & 2 W. 4. c. 24.
3 & 4 W. 4. c. 32.
4 & 5 W. 4. c. 72.
1 Vict. c. 51.
1 & 2 Vict. c. 88.

3 Vict. c. 10. 5 Vict. Sess. 2. c. 9. 9 & 10 Vict. c. 80. 14 & 15 Vict. c. 23. 16 & 17 Vict. c. 40. 19 Vict. c. 17. 24 & 25 Vict. c. 80. 25 & 26 Vict. c. 30.

Third and Fourth Years of King William the Fourth, Chapter Thirty-two; an Act of the Fourth and Fifth Years of King William the Fourth; Chapter Seventy-two; an Act of the First Year of Her present Majesty Queen Victoria, Chapter Fifty-one; an Act of the First and Second Years of Her present Majesty, Chapter Eighty-eight; an Act of the Third Year of Her present Majesty, Chapter Ten; an Act of the Fifth Year of Her present Majesty, Chapter Nine; an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Eighty; an Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Twenty-three; an Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter Forty; an Act of the Nineteenth Year of Her present Majesty, Chapter Seventeen; an Act of the Twenty-fourth and Twenty-fifth Years of Her present Majesty, Chapter Eighty; and an Act of the Twenty-fifth and Twenty-sixth Years of Her present Majesty, Chapter Thirty:

And whereas sundry Advances or Loans have been made by the Commissioners of the said Acts, for the Purposes in the same Act specified, and also for the Purposes of the Harbours, and Passing Tolls, &c., Act, 1861, and great Benefits have been derived therefrom:

And whereas further Advances or Loans are required for the like Objects, and Advances or Loans are also required for the Purposes of "The Cattle Diseases Prevention Act, 1866," and "The Labouring Classes Dwelling Houses Act, 1866," and it is deemed expedient to make Advances of Money out of the Consolidated Fund for the Purposes of such Loans:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to charge 360,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 90,000*l.* per Quarter.

1. For the Purpose of such Advances or Loans as aforesaid, (exclusively of Advances or Loans for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," "The Cattle Diseases Prevention Act, 1866," and "The Labouring Classes Dwelling Houses Act, 1866,") the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland, for the Time being, are hereby empowered, by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, until Parliament shall otherwise determine, a Sum or Sums of Money not exceeding *Three hundred and sixty thousand Pounds* per Annum by quarterly Instalments or Issues not exceeding *Ninety thousand Pounds* per Quarter, the First Instalment thereof

to

to become due and payable in the Quarter ending the *Thirtieth Day of June One thousand eight hundred and sixty-seven.*

Power to charge 350,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 87,500*l.* per Quarter for Harbours, &c.

2. For the Purpose of Advances or Loans under "The Harbours and Passing Tolls, &c. Act, 1861," the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being are hereby empowered, by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding *Three hundred and fifty thousand Pounds* per Annum during the *Five Years* next ensuing the Thirtieth Day of June One thousand eight hundred and sixty-six, by quarterly Instalments or Issues not exceeding *Eighty-seven thousand five hundred Pounds* per Quarter, the First Instalment thereof to become payable in the Quarter ending the *Thirtieth Day of September One thousand eight hundred and sixty-six*, such Monies to be applied under the said Harbours and Passing Tolls Act.

Power to charge 500,000*l.* upon the Consolidated Fund for Cattle Diseases, &c.

3. For the Purpose of Advances or Loans under "The Cattle Diseases Prevention Act, 1866," the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being are hereby empowered, by Warrant under the Hands of any Two or more of them, from Time to Time to cause to be issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding *Five hundred thousand Pounds*, such Monies to be applied under the said Cattle Diseases Prevention Act, 1866.

Power to charge 250,000*l.* upon the Consolidated Fund for Labouring Classes Dwellings, &c.

4. For the Purposes of Advances or Loans under "The Labouring Classes Dwellings Act, 1866," the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being are hereby empowered, by Warrant under the Hands of any Two or more of them, from Time to Time to cause to be issued out of the Cosolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding *Two hundred and fifty thousand Pounds*, such Monies to be applied under the said Labouring Classes Dwellings Act, 1866.

Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund, and to cause a separate Account to be continued at the Bank of England for the Purpose.

5. The Commissioners for the Time being for the Reduction of the National Debt shall be and they are hereby appointed Trustees on the Part of the Public for holding the said Monies to be issued and paid out of the Consolidated Fund as aforesaid; and the said Monies shall be kept upon such Accounts at the Bank of England as the Commissioners of the Treasury shall from Time to Time direct; and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books in which all the Monies transferred to their Account by virtue of this Act and the said recited Acts shall be entered and kept separate and apart from all other Monies, and such Monies shall be by them held subject to the Disposal, Orders, and Directions of the Commissioners of the said recited Acts and of this Act, for the Purposes of such Loans and Advances, and otherwise as by the same Acts or the Acts relating thereto or this Act, are directed or authorized to be made.

Money paid into the Bank to the Account of the Commissioners for executing this Act to be carried to and be made Part of the Consolidated Fund.

6. All and every Sums and Sum of Money which shall be paid into the Bank of England to the Account of the Commissioners for executing this Act, under and by virtue of this Act, shall from Time to Time, at such Periods as the Commissioners of Her Majesty's Treasury shall direct, be transferred by the Governor and Company of the Bank of England to the Account kept by the said Bank of England with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Commissioners for executing recited Acts to be Commissioners together with others for executing this Act.

7. The several Persons who in and by or under the said recited Acts or any of them are named or constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of the passing of this Act, and Sir John Charles Dalrymple Hay, Baronet, (who has been appointed a Commissioner for the Execution of the said recited Acts under the Authority of the same or some or One of them,) together with William Jones Loyd and Herbert Barnard, Esquires, shall be and they and all future Parties so constituted are hereby constituted Commissioners for the Execution of the said recited Acts and this Act, and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

Commissioners to sign the following Declaration before acting.

8. The said Commissioners named in and by or under the said recited Acts or any of them or this Act shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect:

'I A.B.

'I A.B. do declare, That, according to the best of my Judgment, 'I will faithfully and impartially execute the several Duties, Powers, 'and Trusts vested in me by an Act entitled (insert Title of this 'Act) according to the Tenor and Purport of the said Act and the 'Acts therein recited, and other Acts having Reference thereto.' And such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt.

9. When and so soon as the said Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Money to be advanced and lent or paid under the Provisions of this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Commissioners for the Reduction of the National Debt for the Time being; and at the Foot of every such Certificate the Secretary of the said Commissioners for the Execution of the said recited Acts and this Act shall state the Name or Names of the Person or Persons by whom every such Certificate is to be presented to the said Commissioners for the Reduction of the National Debt; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt, the Comptroller General or Assistant Comptroller, or Chief Clerk acting under the said last-mentioned Commissioners, shall, upon the Back of every such Certificate, endorse and sign an Order for the Payment of the Sum mentioned in every such Certificate to the Person or Persons named at the Foot of every such Certificate, or to One of such Persons, and which Order of such Officer previously to the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said last-mentioned Commissioners, and shall be addressed to the Cashiers of the Governor and Company of the Bank of England; and such Cashiers, or One of them, shall, upon the Production of every such Order, pay the Sum mentioned therein to the Person or Persons mentioned in every such Order; and the Signature of such Person or Persons, jointly or severally, shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt, and to the said Governor and Company respectively.

Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.

10. The said Commissioners for the Execution of the said recited Acts and this Act shall cause to be made up an annual Account to the Thirty-first Day of March in each Year of the Amounts placed at their Disposal under the said recited Acts and this Act, the Amounts advanced and the Amounts remaining unissued, also an Account of the Amount of the Loans advanced by the said Commissioners

missioners under the said recited Acts and this Act, the Monies received on account thereof, and paid into the Exchequer, and the Balance of Principal and Interest outstanding, distinguishing each Class of Loans, and also showing the Amounts advanced and repaid in respect of each such Class during the Year ending the Thirty-first Day of March immediately preceding the Date of such Account; and the said Commissioners shall in each Year cause such Accounts to be laid before both Houses of Parliament on or before the *Thirtieth Day of June*, if Parliament be sitting, or if Parliament be not sitting then within *Fourteen Days* after the next Meeting of Parliament.

Commissioners for Reduction of the National Debt to furnish annual Account of the Fund for Audit.

11. The Commissioners for the Reduction of the National Debt shall cause to be made up, for Examination and Audit, an annual Account to the *Thirty-first Day of December* in each Year of the Receipts, Payments, and Balances on the said Account so directed to be kept by them in respect of the said Public Works Loan Fund as aforesaid, and shall deliver the same to the Auditor General of Public Accounts at Somerset House.

Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

12. None of the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts or any of them shall be affected nor be deemed to have been affected by anything in this Act or in any other Act or Acts of Parliament, already passed or to be passed, except so far as the same is by this Act or may by any such Act passed or to be passed be altered, varied, or repealed by express Reference to the said recited Acts or this Act, and all and every the same several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures, so far as the same can be made applicable, and are not varied by this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if such Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures were herein repeated and set forth.

A

BILL

To authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and for the Employment of the Poor; and for the Purposes of The Harbours and Passing Tolls Acts, 1861, The Cattle Diseases Prevention Act, 1866, and The Labouring Classes Dwellings Act, 1866.

(*Prepared and brought in by Mr. Chancellor of the Exchequer, Lord Naas, and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 17 *July* 1866.

[Bill 218.]

Under 2 *oz.*

Public Works Loans (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Appointment of Commissioners.
2. Treasury may out of the 360,000*l.* per Annum granted by an Act of the present Session of Parliament, apply a Sum not exceeding 15,000*l.* per Quarter for Public Works in Ireland.
3. A separate Account to be continued in the Books of the Commissioners.
4. When Treasury shall have sanctioned Loans, Commissioners of Public Works to certify Amount of Issue to Commissioners for Reduction of National Debt. Upon Certificate being produced, Payment to be made. Approval of Treasury of such Issue to appear on Certificate.
5. Order to be entered by the proper Officer, countersigned by the Actuary, and addressed to the Cashiers of the Bank of England, who shall pay the same.
6. Commissioners for Reduction of National Debt to furnish an annual Account for Audit.
7. Appropriation and Entry of Repayments.
8. All Sums paid into the Bank of Ireland to be carried to and made Part of the Consolidated Fund.
9. Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.
10. Powers of recited Acts as to Advances to have the same Force as if re-enacted in this Act.

A

BILL

TO

Authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in Ireland.

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King William the Fourth, Chapter Thirty-three : Preamble. 1 & 2 Will. 4. c. 33.

And whereas another Act was passed in the Seventh Year of the same Reign, Chapter One hundred and eight : 6 & 7 Will. 4. c. 108.

And whereas another Act was passed in the First Year of the Reign of Her present Majesty, Chapter Twenty-one : 7 Will. 4. & 1 Vict. c. 21.

And whereas another Act was passed in the Second Year of the Reign of Her present Majesty, Chapter Eighty-eight : 1 & 2 Vict. c. 88.

And whereas another Act was passed in the Third Year of the Reign of Her present Majesty, Chapter Fifty : 2 & 3 Vict. c. 50.

And whereas another Act was passed in the Second Session of the Fifth Year of the Reign of Her present Majesty, Chapter Nine : 5 & 6 Vict. c. 9.

And whereas another Act was passed in the Seventh Year of the Reign of Her present Majesty, Chapter Forty-four : 6 & 7 Vict. c. 44.

9 & 10 Vict. c. 1. And whereas another Act was passed in the Ninth Year of the Reign of Her present Majesty, Chapter One:

9 & 10 Vict. c. 85. And whereas another Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Eighty-five.

14 & 15 Vict. c. 51. And whereas another Act was passed in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Fifty-one:

19 Vict. c. 18. And whereas another Act was passed in the Nineteenth Year of the Reign of Her present Majesty, Chapter Eighteen:

24 & 25 Vict. c. 85. And whereas another Act was passed in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Eighty-five:

And whereas by an Act passed in the present Session of Parliament, intituled "An Act to authorize Advances of Money out "of the Consolidated Fund for carrying on Public Works and "Fisheries, and for the Employment of the Poor; and for other "Purposes," the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being are empowered, by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, until Parliament shall otherwise determine, a Sum or Sums of Money not exceeding Three hundred and sixty thousand Pounds per Annum, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds per Quarter, the first Instalment thereof to become due and payable in the Quarter ending the Thirtieth Day of June One thousand eight hundred and sixty-seven:

And whereas sundry Advances or Loans have been made by the Commissioners of Public Works in Ireland under the said first-recited Act and the several Acts since passed for amending and extending the same, for the Purposes in the same Acts specified, and great Benefits have been derived therefrom, and further Advances or Loans are required for the like Objects:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointment of Commissioners. **1.** The Commissioners of Public Works for the Time being shall be Commissioners for the Execution of this Act.

2. The

Treasury may out of the 360,000*l.* per Annum granted by 29 Vict. apply a Sum not exceeding 15,000*l.* per Quarter for Public Works in Ireland.

2. The said Commissioners of Her Majesty's Treasury, by Warrant under the Hands of any Two or more of them, may direct from Time to Time, out of the Sum not exceeding Three hundred and sixty thousand Pounds per Annum which by the said Act of this present Session of Parliament they are authorized to cause to be issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or out of the growing Produce thereof, to the Account of the Commissioners for the Reduction of the National Debt, by quarterly Instalments or Issues not exceeding *Ninety thousand Pounds* per Quarter as aforesaid, there shall issue and be paid unto the said Commissioners for the Reduction of the National Debt a Sum not exceeding *Fifteen thousand Pounds* per Quarter, to be at the Disposal of the said Commissioners of Public Works as herein-after mentioned, the first Instalment thereof to become due and payable in the Quarter ending the *Thirtieth Day of June One thousand eight hundred and sixty-seven.*

A separate Account to be continued in the Books of the Commissioners.

3. For the Purpose of receiving the said quarterly Instalments, the said Commissioners for the Reduction of the National Debt shall continue or cause to be continued and kept in their Office a Book or Books, in which all Monies transferred to their Account by virtue of this Act and the said recited Act of the Seventh Year of the Reign of Her present Majesty shall be kept apart from all other Monies; and such Monies shall be by the same Commissioners held subject to the Disposal of the said Commissioners of Public Works for the several Purposes of the said first-recited Act and the other Acts amending the same and of this Act.

When Treasury shall have sanctioned Loans, Commissioners of Public Works to certify Amount of Issue to Commissioners for Reduction of National Debt.

4. When the said Commissioners of Her Majesty's Treasury shall have sanctioned any Loan under this Act or any of the above-recited Acts, and the said Commissioners of Public Works shall have ascertained that any Sum of Money is required to be issued on account of such Loan, they shall forthwith certify the Amount of such Issue to the Commissioners for the Reduction of the National Debt for the Time being; and in every such Certificate the Loan in Payment of which such Issue is required, and the Party or Parties to whom such Issue is intended to be made, shall be stated; and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt the Comptroller General or Assistant Comptroller, or Chief Clerk acting under the last-named Commissioners shall upon the Back of such Certificate endorse and sign an Order for the Payment of the Sum mentioned in such Certificate to the Governor and

Upon Certificate being produced, Payment to be made.

Company of the Bank of England, to be by them placed to the Account of the Governor and Company of the Bank of Ireland, for the Account and Credit of Her Majesty's Paymaster General at the said Bank, to be by him paid over on the Warrants of the said Commissioners of Public Works: Provided always, that Approval of such Issue by the Commissioners of Her Majesty's Treasury shall appear on such Certificate under the Hand of One of their Secretaries, and that the Amount of such Issue shall not exceed the Sum for the Time being standing in the Books of the said Commissioners for the Reduction of the National Debt, subject to the Disposal of the said Commissioners of Public Works.

Approval of Treasury of such Issue to appear on Certificate.

5. Every such Order of the Officer of the said Commissioners for the Reduction of the National Debt, before the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said Commissioners for the Reduction of the National Debt, and shall be addressed to the Cashiers of the Governor and Company of the Bank of England; and such Cashiers, or One of them, shall, upon the Production of every such Order, pay the Sum mentioned therein to the Governor and Company of the Bank of England; and the Signature of One of the Cashiers of the said Governor and Company of the Bank of England shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt.

Order to be entered by the proper Officer, countersigned by the Actuary, and addressed to the Cashiers of the Bank of England, who shall pay the same.

6. The Commissioners for the Reduction of the National Debt shall cause to be made up, for Examination and Audit, an annual Account to the *Thirty-first Day of December* in each Year of the Receipts, Payments, and Balances on the said Account so directed to be kept by them in respect of the said Public Works Loan Fund for Ireland as aforesaid, and shall deliver the same to the Auditor General of Public Accounts.

Commissioners for Reduction of National Debt to furnish an annual Account for Audit.

7. As soon as any Sum of Money shall have been lodged to the Credit of the Account of the Commissioners of Public Works at the Bank of Ireland on account of the Repayment of Loans for Public Works, the said Commissioners of Public Works shall cause the Sum or Sums so lodged to be entered in their Books to the Credit of the Loan on account of which such Repayment shall have been made, and shall cause a Receipt to be delivered to the Party or Person on whose account such Repayment shall have been so made, and such Receipt shall be a sufficient Discharge to the Party or Person paying the same.

Appropriation and Entry of Repayments.

8. Every

All Sums paid into the Bank of Ireland to be carried to and made Part of the Consolidated Fund.

8. Every Sum of Money which shall be paid into the Bank of Ireland to the Account of the said Commissioners of Public Works, on account of the Repayment of Loans for Public Works under this or any of the aforesaid Acts, shall from Time to Time, at such Periods and in such Manner as the Commissioners of Her Majesty's Treasury shall direct, be transferred by the said Commissioners of Public Works to the Account kept with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.

9. The said Commissioners for the Execution of the said recited Acts and this Act shall cause to be made up an annual Account to the *Thirty-first Day of March* in each Year of the Amounts placed at their Disposal under the said recited Acts and this Act, the Amounts advanced, and the Amounts remaining unissued, also an Account of the Amount of the Loans advanced by the said Commissioners under the said recited Acts and this Act, the Monies received on account thereof, and paid into the Exchequer, and the Balance of Principal and Interest outstanding, distinguishing each Class of Loans, and also showing the Amounts advanced and repaid in respect of each such Class during the Year ending the Thirty-first Day of March immediately preceding the Date of such Account; and the said Commissioners shall on or before the First Day of June in each Year cause such Accounts and Statements to be transmitted to the Public Works Loan Commissioners at their Office in London; and such Accounts and Statements shall by the said last-mentioned Commissioners be laid before both Houses of Parliament on or before the *Thirtieth Day of the same Month of June*, if Parliament be sitting, or if Parliament be not sitting then within *Fourteen Days* after the next Meeting of Parliament.

Powers of recited Acts as to Advances to have the same Force as if re-enacted in this Act.

10. All the Enactments contained in the said recited Act, relating to Public Works in Ireland, or any of them, shall, except as is herein otherwise provided, extend to this Act, and to all Things done or directed to be done by the said Commissioners of Her Majesty's Treasury, or the said Commissioners of Public Works, or their Secretary for the Time being, or any other Persons or Bodies Corporate under the Authority of the said recited Acts or this Act, or any of them, in such or the like Manner as if they had been particularly and severally re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit, except so far only as the same are amended or altered by any of the said Acts or by this Act.

Public Works Loans (Ireland).

A

BILL

To authorize for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in Ireland.

(*Prepared and brought in by Mr. Chancellor of the Exchequer, Lord Naas, and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 17 *July* 1866.

[Bill 219.]

Under 1 *oz.*

A

BILL

TO

Render it unnecessary to make and subscribe certain Declarations as a Qualification for Offices and Employments; to indemnify such Persons as have omitted to qualify themselves for Office and Employment; and for other Purposes relating thereto.

WHEREAS an Act was passed in the Ninth Year of the Reign of King George the Fourth, intituled "An Act for "repealing so much of several Acts as imposes the Neces- "sity of receiving the Sacrament of the Lord's Supper as a Qualifi- "cation for certain Offices and Employments;" And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled "An Act for the Relief of Quakers, "Moravians, and Separatists elected to Municipal Offices:" And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled "An Act for the further "Relief of Quakers, Moravians, and Separatists:" And whereas another Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled "An Act for the Relief of Persons "of the Jewish Religion elected to Municipal Offices:" And whereas it

Preamble.
9 G. 4. c. 17.
1 & 2 Vict. c. 5.
1 & 2 Vict. c. 15.
8 & 9 Vict. c. 52.

it is inexpedient that it should be necessary to make and subscribe any Declaration prescribed by any of the said Acts: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Obligation to make Declarations prescribed by the recited Acts abolished.

1. It shall not be obligatory for any Person who shall *hereafter* be placed, elected, or chosen in or to the Office of Mayor, Alderman, Recorder, Bailiff, Town Clerk, or Common Councilman, or in or to any Office or Magistracy, or Place, Trust, or Employment relating to the Government of any City, Corporation, Borough, or Cinque Port, within England and Wales or the Town of Berwick-upon-Tweed, either before or upon or after his Admission into any of the aforesaid Offices or Trusts, or for any Person who shall *hereafter* be admitted into any Office or Employment, or who shall accept from Her Majesty, Her Heirs and Successors, any Patent, Grant, or Commission, either before or upon or after his Admission to any Office, Employment, or Place of Trust, or his Acceptance of any Patent, Grant, or Commission, to make and subscribe any Declaration prescribed by any of the said Acts.

Indemnity for Persons who have not made Declarations required by the recited Acts.

2. Every Person who at or before the *passing of this Act* hath omitted to make and subscribe any Assurance or Declaration prescribed by the said Acts or any of them, or otherwise to qualify himself within such Time and in such Manner as in and by the said Acts or any of them is required, shall be and is hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Omission of making and subscribing any Assurance or Declaration required by the said Acts or any of them according to the same Acts or any of them, or any other Act or Acts, and every such Person is and shall be fully and actually recapacitated and restored to the same State and Condition as he was in before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified himself according to the same Acts and every of them, and all Elections of and Acts done or to be done by any such Person, or by Authority derived from him, are and shall be of the same Force and Validity as the same or any of them would have been if such Person had duly made and subscribed such Assurance and Declaration according to the Directions of the said Acts or any of them.

Qualification for Offices Abolition.

A

BILL

To render it unnecessary to make and subscribe certain Declarations as a Qualification for Offices and Employments; to indemnify such Persons as have omitted to qualify themselves for Office and Employment; and for other Purposes relating thereto.

(*Prepared and brought in by Mr. Hadfield, Sir Morton Peto, and Mr. Baines.*)

Ordered, by The House of Commons, *to be Printed*, 8 *February* 1866.

[Bill 1.]

Under 1 *oz.*

Railway Companies Securities Bill.

ARRANGEMENT OF CLAUSES.

CLAUSE.

1. Short Title.
2. Interpretation.
3. Company to have Registered Officer.
4. Half Years for Purposes of Act.
5. Loan Capital Accounts to be made half-yearly.
6. Form of Half-yearly Account.
7. Account to be open to Shareholders, &c.
8. Deposit of Copy of Account with Registrar of Joint Stock Companies.
9. Deposit in Scotland and Ireland.
10. Accounts deposited to be recorded.
11. Fees on Registration of Name of Officer, &c.
12. Declaration by Directors, &c. on Mortgage Deed, &c.
13. Penalty on Company, &c. if Declaration omitted.
14. Penalty on Registered Officer.
15. Nothing to affect Liability of Company, &c.
16. Account, &c. not to be Evidence for Company.

SCHEDULES.

A

BILL

TO

Amend the Law relating to Securities issued by Railway Companies.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title.

1. This Act may be cited as The Railway Companies Securities Act, 1866.

Interpretation.

2. In this Act—

The Term "Railway" includes a Tramway authorized by Act of Parliament incorporating The Companies Clauses Consolidation Act, 1845, but not any other Tramway :

The Term "Railway Company" includes every Company authorized by Act of Parliament to raise any Loan Capital for the Construction or Working of a Railway, or for any Purposes connected with the Conveyance of Traffic on a Railway, either alone or in conjunction with other Purposes :

The Term "Debenture Stock" includes Mortgage Preference Stock and Funded Debt, and any Stock or Shares representing Loan Capital of a Railway Company, by whatever Name the same is called.

Company to have Registered Officer.

3. Every Railway Company shall on or before the *Fifteenth Day of October One thousand eight hundred and sixty-six*, register, and shall always thereafter keep registered, at the Office of the Registrar of Joint Stock Companies in England, the Name of an Officer of the Company for the Time being authorized by them to sign Instruments under this Act, or, if they think fit, the Names of *Two* or more Officers of the Company so authorized (and the Officer so registered for the Time being, and any One of the Officers so registered if more than One, is in this Act referred to as the Company's Registered Officer).

The Record of the Name or Names of the Registered Officer or Officers of any Company may be inspected by any Person.

Half Years for Purposes of Act.

4. Half Years shall, for the Purposes of this Act, be deemed to end on the *Thirtieth Day of June* and the *Thirty-first Day of December;* and the First Half Year to which this Act applies shall be that ending on the *Thirty-first Day of December One thousand eight hundred and sixty-six;* but the Board of Trade, on the Application of any Railway Company, may (by Writing under the Hand of One of their Secretaries or Assistant Secretaries, which on Production shall be received in Evidence) appoint, with respect to that Company, other Days for the ending of Half Years (including the First).

Loan Capital Accounts to be made half-yearly.

5. Within *Fourteen Days* after the End of each Half Year every Railway Company shall make an Account of their Loan Capital authorized and actually raised up to the End of that Half Year, specifying the Particulars described in the First Schedule to this Act (which Account for each Half Year is in this Act referred to as the Loan Capital Half-yearly Account).

Form of Half-yearly Account.

6. The Board of Trade may from Time to Time, by Notice published in the London, Edinburgh, and Dublin Gazettes, prescribe the Form in which the Loan Capital Half-yearly Account is to be made.

Account to be open to Shareholders, &c.

7. The Loan Capital Half-yearly Account of each Company may be perused at all reasonable Times, without Payment, by any Shareholder, Stockholder, Mortgagee, Bond Creditor, or Holder of Debenture Stock of the Company, or any Person interested in any Mortgage, Bond, or Debenture Stock of the Company.

Deposit of Copy of Account with Registrar of Joint Stock Companies.

8. Within *Twenty-one Days* after the End of each Half Year every Railway Company shall deposit with the Registrar of Joint Stock Companies in England a Copy, certified and signed by the Company's Registered Officer as a true Copy, of their Loan Capital Half-yearly Account.

If

If at any Time any Railway Company fail to do so they shall be deemed guilty of an Offence against this Act, and shall for every such Offence be liable, on summary Conviction, to a Penalty not exceeding *Twenty Pounds*, and to a further Penalty not exceeding *Five Pounds* for every Day during which such Failure continues after the First Penalty is incurred.

Deposit in Scotland and Ireland.

9. A Railway Company may also, if they think fit, deposit with the Registrar of Joint Stock Companies in Scotland, or with the Assistant Registrar of Joint Stock Companies in Ireland, or with each, a like Copy of any Loan Capital Half-yearly Account of the Company.

Accounts deposited to be recorded.

10. Every Loan Capital Half-yearly Account so deposited shall be recorded by the Registrar or Assistant Registrar (as the Case may be), and the Record thereof may be inspected by any Person.

Fees on Registration of Name of Officer, &c.

11. Every Railway Company registering the Name or Names of any Officer or Officers, or depositing any Account, under this Act, shall pay the like Fee as is for the Time being payable under The Companies Act, 1862, on Registration of any Document other than a Memorandum of Association; and every Person inspecting the Record of any Name or Names so registered, or of any Account so deposited, shall pay the like Fee as is for the Time being payable for Inspection of Documents kept by the Registrar of Joint Stock Companies under the last-mentioned Act.

Declaration by Directors, &c. on Mortgage Deed, &c.

12. There shall be put (by Indorsement or otherwise) on every Mortgage Deed or Bond made or given after the *Thirty-first Day of October One thousand eight hundred and sixty-six* by a Railway Company for securing Money borrowed by the Company, and on every Certificate given after that Day by a Railway Company for any Sum of Debenture Stock issued by the Company, a Declaration in the Form given in the Second Schedule to this Act, or to the like Effect, with such Variations as Circumstances require.

Every such Declaration shall be signed by the Chairman or Deputy Chairman of the Board of Directors of the Company, or by *Two* of the Directors of the Company, and in either Case by the Company's Registered Officer.

Penalty on Company &c. if Declaration omitted.

13. If after the last-mentioned Day any Railway Company deliver any such Mortgage Deed, Bond, or Certificate without such a Declaration being first put thereon and signed as aforesaid, they shall be deemed guilty of an Offence against this Act, and shall for

every such Offence be liable, on Summary Conviction, to a Penalty not exceeding *Twenty* Pounds; and if any Director or Registered Officer of any Railway Company knowingly authorizes or permits the Delivery of any such Mortgage Deed, Bond, or Certificate without such a Declaration being first put thereon and signed as aforesaid, every such Person shall be deemed guilty of an Offence against this Act, and shall for every such Offence be liable, on Summary Conviction, to a Penalty not exceeding *Five* Pounds.

Penalty on Registered Officer.

14. If any Company's Registered Officer signs any Account or Declaration under this Act, knowing the same to be false in any Particular, he shall be deemed guilty of an Offence against this Act, and shall for every such Offence be liable, on Summary Conviction, to a Penalty not exceeding *Ten Pounds*.

Nothing to affect Liability of Company,&c.

15. Nothing in this Act or in any Account or Declaration under it shall affect any Question respecting any Loan, Debt, Liability, Mortgage, Bond, or Debenture Stock, as between a Railway Company or any Director or Officer of a Railway Company on the one Side, and any Person or Class of Persons on the other Side.

Account, &c. not to be Evidence for Company.

16. An Account or Declaration under this Act shall not be admissible as Evidence in favour of a Railway Company of the Truth of any Matter therein stated.

THE

THE FIRST SCHEDULE.

Particulars to be specified in Loan Capital Half-yearly Account.

A. Every Half-yearly Account to show—

(1.) The Act or Acts of Parliament under the Powers of which the Company have contracted any Mortgage or Bond Debt existing at the End of the Half Year, or have issued any Debenture Stock then existing, or by or under which any Mortgage or Bond Debt or Debenture Stock of the Company then existing has been confirmed, or under which the Company have any subsisting Power to contract any Mortgage or Bond Debt, or to issue any Debenture Stock (either on fulfilment of any Condition or otherwise):

(2.) The Amount or respective Amounts of Mortgage or Bond Debt or Debenture Stock thereby authorized or confirmed:

(3.) Whether or not by any such Act or Acts the obtaining of the Certificate of a Justice or Sheriff for any Purpose, or the obtaining of the Assent of a Meeting of the Company, has been made a Condition precedent to the Exercise of the Power thereby conferred of borrowing on Mortgage or Bond or of creating and issuing Debenture Stock:

(4.) The Date at which such Condition has been fulfilled:

(5.) The Amount or respective Amounts, under the Powers of such Act or Acts, actually borrowed up to the End of the Half Year, on Mortgage or Bond (distinguishing them), and then being an existing Debt, and of Debenture Stock actually issued up to that Time and then existing.

B. The Second and every subsequent Half-yearly Account to show also—

(6.) The Items described in Paragraphs (2.) and (5.) of the present Schedule for Two consecutive Half Years, and the Increase or Decrease of any of those Items in the Second of those Half Years as compared with the First.

THE SECOND SCHEDULE.

Declaration on Mortgage Deed, Bond, or Certificate of Debenture Stock.

The Railway Company.

We, the undersigned, hereby declare (each for himself) that we have considered the Act [*or* Acts] of Parliament conferring and regulating the Company's Power of borrowing Money on Mortgage [*or* Bond *or* of creating and issuing Debenture Stock], and the Books and Accounts of the Company relative to the Exercise of that Power, and that to the best of our Knowledge and Belief the within-written [*or as the Case may be*] Mortgage Deed [*or* Bond *or* Certificate] is lawfully and duly made [*or* given].

Dated this Day of 18 .

_____ Chairman.

[*or*

_____ Deputy Chairman.

or

_____ } Directors].

_____ }

_____ } [Secretary, *or* Accountant, *or as the Case may be*] and Registered Officer.

Railway Companies Securities.

A

B I L L

To amend the Law relating to Securities issued by Railway Companies.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Monsell.*)

Ordered, by The House of Commons, *to be Printed* 10 *May* 1866.

[Bill 151]

Under 1 *oz.*

Railway Companies Securities Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

CLAUSE.

1. Short Title.
2. Interpretation.
3. Company to have Registered Officer.
4. Half Years for Purposes of Act.
5. Loan Capital Accounts to be made half-yearly.
6. Form of Half-yearly Account.
7. Account to be open to Shareholders, &c.
8. Deposit of Copy of Account with Registrar of Joint Stock Companies.
9. Deposit in Scotland and Ireland.
10. Prohibition against borrowing before Registration of Act giving the Borrowing Power.—CLAUSE A.
11. Persons may inspect Register on Payment of a Fee.—CLAUSE B.
12. Fees on Registration of Name of Officer, &c.
13. Declaration by Directors, &c. on Mortgage Deed, &c.
14. Penalty on Company, &c. if Declaration omitted.
15. Penalty on Registered Officer.
16. Penalty on Director.—CLAUSE C.
17. Nothing to affect Liability of Company, &c.
18. Account, &c. not to be Evidence for Company.

SCHEDULES.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend the Law relating to Securities issued by Railway Companies.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Railway Companies Securities Act, 1866. Short Title.

2. In this Act— Interpretation.

The Term "Railway" includes a Tramway authorized by Act of Parliament incorporating The Companies Clauses Consolidation Act, 1845, but not any other Tramway:

The Term "Railway Company" includes every Company authorized by Act of Parliament to raise any Loan Capital for the Construction or Working of a Railway, or for any Purposes connected with the Conveyance of Traffic on a Railway, either alone or in conjunction with other Purposes:

The Term "Debenture Stock" includes Mortgage Preference Stock and Funded Debt, and any Stock or Shares representing Loan Capital of a Railway Company, by whatever Name the same is called.

Company to have Registered Officer.

3. Every Railway Company shall on or before the Fifteenth Day of October One thousand eight hundred and sixty-six, register, and shall always thereafter keep registered, at the Office of the Registrar of Joint Stock Companies in England, the Name of an Officer of the Company for the Time being authorized by them to sign Instruments under this Act, or, if they think fit, the Names of Two or more Officers of the Company so authorized (and the Officer so registered for the Time being, and any One of the Officers so registered if more than One, is in this Act referred to as the Company's Registered Officer).

The Record of the Name or Names of the Registered Officer or Officers of any Company may be inspected by any Person.

Half Years for Purposes of Act.

4. Half Years shall, for the Purposes of this Act, be deemed to end on the Thirtieth Day of June and the Thirty-first Day of December; and the First Half Year to which this Act applies shall be that ending on the Thirty-first Day of December One thousand eight hundred and sixty-six; but the Board of Trade, on the Application of any Railway Company, may (by Writing under the Hand of One of their Secretaries or Assistant Secretaries, which shall be registered by the Railway Company at the Office of the said Registrar, and on Production shall be received in Evidence) appoint, with respect to that Company, other Days for the ending of Half Years (including the First).

Loan Capital Accounts to be made half-yearly.

5. Within Fourteen Days after the End of each Half Year every Railway Company shall make an Account of the Amount of their Loan Capital authorized to be raised and of the Amount actually raised up to the End of that Half Year, specifying the Particulars described in the First Schedule to this Act (which Account for each Half Year is in this Act referred to as the Loan Capital Half-yearly Account).

Form of Half-yearly Account.

6. The Board of Trade may from Time to Time, by Notice published in the London, Edinburgh, and Dublin Gazettes, prescribe the Form in which the Loan Capital Half-yearly Account is to be made.

Account to be open to Shareholders, &c.

7. The Loan Capital Half-yearly Account of each Company may be perused at all reasonable Times, without Payment, by any Shareholder, Stockholder, Mortgagee, Bond Creditor, or Holder of Debenture Stock of the Company, or any Person interested in any Mortgage, Bond, or Debenture Stock of the Company.

Deposit of Copy of Account

8. Within Twenty-one Days after the End of each Half Year every Railway Company shall deposit with the Registrar of Joint Stock

Stock Companies in England a Copy, certified and signed by the Company's Registered Officer as a true Copy, of their Loan Capital Half-yearly Account. with Registrar of Joint Stock Companies.

9. A Railway Company may also, if they think fit, deposit with the Registrar of Joint Stock Companies in Scotland, or with the Assistant Registrar of Joint Stock Companies in Ireland, or with each, a like Copy of any Loan Capital Half-yearly Account of the Company. Deposit in Scotland and Ireland.

CLAUSE A.

10. It shall not be lawful for any Railway Company at any Time to borrow any Money on Mortgage or Bond, or to issue any Debenture Stock, under any Act passed after the End of the Half Year to which their last preceding Loan Capital Half-yearly Account relates, unless and until they have first deposited with the Registrar of Joint Stock Companies in England a Statement specifying the Particulars described in the First Schedule to this Act, Part II. Prohibition against borrowing before Registration of Act giving the Borrowing Power.

CLAUSE B.

11. Every Person may inspect the Register kept by any Registrar under this Act on paying a Fee of One Shilling for each Inspection as regards each Railway Company; and any Person may require a Copy or Extract of the Register to be certified by the Registrar on paying for such certified Copy or Extract a Fee of Sixpence for each Folio of such Copy or Extract, or, in Scotland, for each Sheet of Two hundred Words. Persons may inspect Register on Payment of a Fee.

12. Every Railway Company registering the Name or Names of any Officer or Officers, or depositing any Account, under this Act, shall pay the like Fee as is for the Time being payable under The Companies Act, 1862, on Registration of any Document other than a Memorandum of Association. Fees on Registration of Name of Officer, &c.

13. There shall be put (by Indorsement or otherwise) on every Mortgage Deed or Bond made or given after the Thirty-first Day of October One thousand eight hundred and sixty-six by a Railway Company for securing Money borrowed by the Company, and on every Certificate given after that Day by a Railway Company for any Sum of Debenture Stock issued by the Company, a Declaration in the Form given in the Second Schedule to this Act, or to the like Effect, with such Variations as Circumstances require. Declaration by Directors, &c. on Mortgage Deed, &c.

Every such Declaration shall be signed by Two Directors of the Company appointed by the Board of Directors to sign such Declarations, and shall be countersigned by the Company's Registered Officer.

Penalty on Company,&c. if Declaration omitted.

14. If after the last-mentioned Day any Railway Company deliver any such Mortgage Deed, Bond, or Certificate without such a Declaration being first put thereon and signed as aforesaid, they shall be deemed guilty of an Offence against this Act, and shall for every such Offence be liable, on Summary Conviction, to a Penalty not exceeding Twenty Pounds; and if any Director or Officer of any Railway Company knowingly authorizes or permits the Delivery of any such Mortgage Deed, Bond, or Certificate without such a Declaration being first put thereon and signed as aforesaid, every such Person shall be deemed guilty of a Misdemeanor, or if summarily convicted shall for every Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Registered Officer.

15. If any Company's Registered Officer signs any Account or Declaration under this Act knowing the same to be false in any Particular he shall be deemed guilty of a Misdemeanor, or if summarily convicted shall for every Offence be liable to a Penalty not exceeding Ten Pounds.

CLAUSE C. Penalty on Director.

16. If any Director signs any Declaration under this Act believing the same to be false in any Particular he shall be deemed guilty of a Misdemeanor.

Nothing to affect Liability of Company,&c.

17. Nothing in this Act or in any Account or Declaration under it shall affect any Question in any Action or Suit respecting any Loan, Debt, Liability, Mortgage, Bond, or Debenture Stock, as between a Railway Company or any Director or Officer of a Railway Company on the one Side, and any Person or Class of Persons on the other Side.

Account, &c. not to be Evidence for Company.

18. An Account or Declaration under this Act shall not be admissible as Evidence in favour of a Railway Company of the Truth of any Matter therein stated.

SCHE-

SCHEDULE.

THE FIRST SCHEDULE.

PART I.

Particulars to be specified in Loan Capital Half-yearly Account.

A. Every Half-yearly Account to show—

(1.) The Act or Acts of Parliament under the Powers of which the Company have contracted any Mortgage or Bond Debt existing at the End of the Half Year, or have issued any Debenture Stock then existing, or by or under which any Mortgage or Bond Debt or Debenture Stock of the Company then existing has been confirmed, or the Act or Acts of Parliament under which the Company have any subsisting Power to contract any Mortgage or Bond Debt, or to issue any Debenture Stock (either on Fulfilment of any Condition or otherwise):

(2.) The Amount or respective Amounts of Mortgage or Bond Debt or Debenture Stock thereby authorized or confirmed:

(3.) Whether or not by any such Act or Acts the obtaining of the Certificate of a Justice or Sheriff for any Purpose, or the obtaining of the Assent of a Meeting of the Company, has been made a Condition precedent to the Exercise of the Power thereby conferred of borrowing on Mortgage or Bond or of creating and issuing Debenture Stock:

(4.) The Date at which such Condition has been fulfilled:

(5.) The Amount or respective Amounts, under the Powers of such Act or Acts, actually borrowed up to the End of the Half Year, on Mortgage or Bond (distinguishing them), and then being an existing Debt, and of Debenture Stock actually issued up to that Time and then existing.

B. The Second and every subsequent Half-yearly Account to show also—

(6.) The Items described in Paragraphs (2.) and (5.) of the present Schedule for Two consecutive Half Years, and the Increase or Decrease of any of those Items in the Second of those Half Years as compared with the First.

PART II.

Particulars to be specified in the Statement as to new Borrowing Powers.

(1.) The Act of Parliament conferring the Power to borrow on Mortgage or Bond or to issue Debenture Stock (either on Fulfilment of any Condition or otherwise):

(2.) The Amount of Mortgage or Bond, Debt or Debenture Stock thereby authorized:

(3.) Whether or not by such Act the obtaining of the Certificate of a Justice or Sheriff for any Purpose, or the obtaining of the Assent of a Meeting of the Company, has been made a Condition precedent to the Exercise of the Power thereby conferred of borrowing on Mortgage or Bond, or of creating and issuing Debenture Stock:

(4.) The Date at which the Condition has been fulfilled.

THE SECOND SCHEDULE.

Declaration on Mortgage Deed, Bond, or Certificate of Debenture Stock.

The Railway Company.

We, the undersigned, being Two of the Directors of the Company specially authorized and appointed for that Purpose, and I, the undersigned Registered Officer of the Company, do hereby declare (each for himself) that the within-written [*or as the Case may be*] Mortgage Deed [*or* Bond *or* Certificate] is issued under the Borrowing Powers of the Company as registered on the Day of , and is not in Excess thereof.

Dated this Day of 18 .

_____ } Directors.

_____ }

_____ } [Secretary [*or* Accountant, *or as the Case may be*] and Registered Officer.

Railway Companies Securities.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To amend the Law relating to Securities issued by Railway Companies.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Monsell.*)

Ordered, by The House of Commons, *to be Printed*, 23 *July* 1866.

[Bill 233.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

RAILWAY COMPANIES SECURITIES BILL.

Note.—*The Page and Line refer to the Bill* (240.) *as first printed by the Lords.*

Page 1.

Lines 9. and 12. Leave out (" or Certificate ")

Line 14. After (" Conveyance.") insert (" by such Company ")

Line 18. After (" called ") insert (" The Term ' Act of Parliament ' includes a Certificate of the Board of Trade made under " The Railways Construction Facilities Act, 1864, or The Railway " Companies Powers Act, 1864, or any other Act of Parliament ")

Page 2.

Line 2. Leave out (" October ") and insert (" January "), and leave out (" sixty-six ") and insert (" sixty-seven ")

Line 10. Leave out from (" Officer ") to the End of the Clause.

Line 21. Leave out (" and on Production shall be received in " Evidence ")

Page 3.

Line 12. Leave out (" last preceding ") and insert (" then last " registered ")

Page 4.

Line 13. Leave out from (" the ") to (" by ") in Line 15. and insert (" Twenty-first Day of January One thousand eight hundred " and sixty-seven ")

Lines 16. and 17. Leave out (" the Expiration of that Time ") and insert (" that Day ")

Page 6.

Line 11. Leave out (" or ") and insert (" and ")

Line 24. Leave out (" respective Amounts ") and insert (" the " aggregate Amount ")

Line 29. After (" Amount ") insert (" or the aggregate Amount ")

Page 7.

Line 14. Leave out the Second ("the") and insert ("such")

At the End of the Second Schedule add :—

*Note.—Where the Case so requires with reference to a Statement under the First Schedule, Part II., leave out from the * to the End of the Form, and insert :—*
on the Day of and the Day of ,
and is not in excess of the Amounts there stated as remaining and authorized to be borrowed.

Where the Mortgage Deed, Bond, or Certificate is issued under a Power of Re-borrowing, or of issuing Debenture Stock in discharge of Mortgage or Bond Debt, leave out from the † to the End of the Form, and insert :—in substitution for a Mortgage Deed [*or* Bond] which has since been paid off.

LORDS AMENDMENTS

TO THE

RAILWAY COMPANIES SECURITIES BILL.

Ordered, by The House of Commons, *to be Printed*,
4 *August* 1866.

[Bill 260.]

Under 1 *oz.*

A

B I L L

TO

Repeal so much of the Act of the Twenty-seventh and Twenty-eighth Years of Victoria, Chapter One hundred and twenty-one, intituled "The Railway Construction Facilities Act (1864)," as prevents the Board of Trade from proceeding on the Application of Promoters in Cases where any Railway or Canal Company affected in any way by the proposed Undertaking may give Notice of Opposition.

WHEREAS by the Act of the Twenty-seventh and Twenty-eighth Victoria, Chapter One hundred and twenty-one, intituled "An Act to facilitate in certain Cases the "obtaining of Powers for the Construction of Railways" (herein called the recited Act), it was enacted (by Section Nine thereof), "If "in any Case any Railway or Canal Company desire to be heard by "Counsel, Agents, and Witnesses against the proposed Undertaking, "and (within such Time as is prescribed by General Rules under "this Act) lodge at the Office of the Board of Trade a Notice in "Writing to that Effect (herein-after referred to as a Notice of "Opposition) in the Form set forth in the Schedule to this Act

Preamble.

27 & 28 Vict. c. 121.

"(with

" (with such Variations as Circumstances require), in that Case the " Board of Trade, if the Railway or Canal Company lodging the " Notice would be affected in any way by the proposed Under- " taking, shall not proceed on the Application of the Promoters;" and it was further enacted (by Section Ten thereof), "Where the " Board of Trade do not proceed on the Application they shall, " not later in any Year than the Fifteenth Day of February if " Parliament is then sitting, and if not then within Seven Days " after the next Meeting of Parliament, lay before both Houses of " Parliament a Copy of the Draft Certificate lodged by the " Promoters, and of the Notice of Opposition; and the Promoters " shall be at liberty to seek by way of Bill in the same Session, " in such Manner and on such Conditions as the Houses of " Parliament respectively, by Standing Order or otherwise, from " Time to Time direct, such Powers as were sought by them by " way of Certificate:"

And whereas it would be expedient and greatly for the Public Advantage that the said Two Sections should be repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Sections 9. and 10. of recited Act.

1. That the said Sections Nine and Ten of the recited Act, with all Provisions and Expressions in the said Act or in the Schedule thereunto annexed, which in any way relate to are connected with the said Sections, be and the same are hereby repealed; and the said Act shall be read and construed and carried into effect in all respects as if the said Sections, with all Provisions and Expressions as aforesaid, were not contained in the said Act.

Short Title.

2. This Act may be cited as "The Railways Construction Facilities Act Amendment Act, 1866."

Railway Construction Facilities Act (1864) Amendment.

A

B I L L

To repeal so much of the Act of the Twenty-seventh and Twenty-eighth Years of Victoria, Chapter One hundred and twenty-one, intituled "The Railway Construction Facilities Act (1864)," as prevents the Board of Trade from proceeding on the Application of Promoters in Cases where any Railway or Canal Company affected in any way by the proposed Undertaking may give Notice of Opposition.

(*Prepared and brought in by Mr. Whalley and Mr. Locke.*)

Ordered, by The House of Commons, *to be Printed*, 19 *July* 1866.

[Bill 226.]

Under 1 *oz.*

Railway Debentures, &c. Registry Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short Title.
2. Railway Companies to make yearly Returns to Registrar of Joint Stock Companies, according to Form in the Schedule.
3. Board of Trade may appoint Assistant Registrars.
4. Railway Companies shall make yearly Returns to Register Office, according to Form in Schedule.
5. Registrar to register Debentures and Debenture Stock.
6. Companies to register Debentures, &c. redeemed.
7. Fee on Registration.
8. Holders of registered Debentures, &c. to have Priority of other Debts.
9. Persons may inspect Register, on Payment of a Fee.
10. Directors of Companies making default to be subject to Penalties.
11. How Offences are to be prosecuted; in England; in Scotland; in Ireland.
12. Summonses may be served on Secretary or Director of Railway Companies.
13. Persons making Returns wilfully false to be guilty of a Misdemeanor.

SCHEDULE.

A

BILL

FOR

The Registry of Railway Debentures and Debenture Stock and other Obligations.

WHEREAS it is expedient that there should be a Public Registry of all Railway Debentures and Debenture Stock and other Obligations, and that Railway Directors should be restrained from issuing any Security exceeding the Amount of the statutory Borrowing Powers of any Railway Company: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes, "The Railway Debentures and Debenture Stock Registration Act, 1866." Short Title.

2. Within a Period of *Three Calendar Months* after the passing of this Act every existing Railway Company shall make a Return according to the Forms I., II., and III. contained in the Schedules to this Act, in England to the existing Registrar of Joint Stock Companies appointed under the Provisions of the Company's Act, 1862, or in his Absence to such Person as the Board of Trade may for the Time being authorize, in Scotland to the existing Registrar of Joint Stock Companies in Scotland, and in Ireland to the Railway Companies to make yearly Returns to Registrar of Joint Stock Companies, according to Form in the Schedule.

the existing Assistant Registrar of Joint Stock Companies for Ireland, or to such Person as the Board of Trade may authorize, but in the event of the Board of Trade altering the Constitution of the existing Registry Offices, such Registration shall be done by such Officer or Officers, at such Place or Places with reference to the local Situation of the Railways, as the Board of Trade may appoint.

Board of Trade may appoint Assistant Registrars.

3. The Board of Trade, in the event of the present Registrars being unable to perform the Duties authorized by this Act, may from Time to Time appoint a Registrar Assistant, Registrar's Clerks, and Servants, as they may think necessary for the Registration under this Act, and remove them at pleasure.

Railway Companies shall make yearly Returns to Register Office, according to Form in Schedule.

4. Every existing Railway Company, and every Railway Company hereafter formed, shall, on or before the *First of January* in every succeeding Year, make a Return according to the Forms I., II., and III. in the Schedule to this Act annexed.

Registrar to register Debentures and Debenture Stock.

5. From and after *Three Months* after the passing of this Act, every Railway Company shall deliver to the Registrar herein-before mentioned every Debenture Bond or Certificate of Debenture Stock immediately after the perfecting of the same; and thereupon the Registrar, after having ascertained by Reference to the last Returns made by the Company that the said Railway Company has not exceeded the Sum authorized to be borrowed by the Act or Acts incorporating or empowering the said Railway Company to borrow, shall forthwith register the same according to the Form No. II. in the Schedule to this Act contained, and shall endorse upon every such Debenture Bond or Certificate of Debenture Stock a Certificate that such Registration has been duly performed.

Companies to register Debentures, &c. redeemed.

6. Every Railway Company, upon the Discharge of any Debenture Bonds or Debenture Stock, shall send in for Registration all Debenture Bonds and all Vouchers of Debenture Stock which are discharged, and upon the Receipt thereof the said Registrar shall register the same according to the Form No. III. in the Schedule to this Act annexed.

Fee on Registration.

7. Upon every Debenture or Certificate of Debenture Stock registered under the Provisions of this Act there shall be paid a Fee not exceeding *One Shilling*, as the Board of Trade may from Time to Time appoint; such Fees to be applied to defraying the Expenses of the Registration in this Act provided for.

8. Except

Holders of registered Debentures, &c. to have Priority of other Debts.

8. Except as is herein-after excepted, the Holders of statutory Debentures and Debenture Stock duly registered shall have a Priority to all the other Debts of their respective Companies: Provided always, that the Holders of statutory Debentures and Debenture Stock duly registered as aforesaid shall not have Priority over the Debentures and Debenture Stock of the respective Companies legally issued at any Time before *Three Months* from the passing of this Act.

Persons may inspect Register, on Payment of a Fee.

9. Every Person may inspect the Registry kept by the Registrars, and there shall be paid for such Inspection such Fees as may be appointed by the Board of Trade, not exceeding *One Shilling* for such Inspection; and any Person may require a Copy or Extract of the Registry to be certified by the Registrar, and there shall be paid for such certified Copy or Extract such Fees as the Board of Trade may appoint, not exceeding *Sixpence* for each Folio of such Copy or Extract, or, in Scotland, for each Sheet of Two hundred Words.

Directors of Companies making default to be subject to Penalties.

10. If any Railway Company required by this Act to register their Debenture Bonds and Debenture Stock, and the Discharges of the same, makes default in complying with the Provisions hereof, then from and after the Day upon which such Company is required to register the same under this Act until the Day upon which the Requirements of this Act are fully complied with, the following Consequence shall ensue: Each Director of the Company shall for each Day during which the Company shall be in such Default incur a Penalty not exceeding *Five Pounds;* such Penalty may be recovered by any Shareholder or Creditor of the Company.

How Offences are to be prosecuted.

11. All Offences under this Act made punishable by any Penalty may be prosecuted summarily before Two or more Justices, as to England in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen Victoria, Chapter Forty-three, intituled "An Act "to facilitate the Performance of the Duties of Justices of the "Peace out of Sessions within England and Wales," or any Act amending the same; and as to Scotland, before Two or more Justices or the Sheriff of the County in manner directed by the Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her Majesty Queen Victoria, Chapter One hundred and four, intituled "An Act to amend and "consolidate the Acts relating to Merchant Shipping," or any Act amending the same, as regards Offences in Scotland against that Act not being Offences by that Act described as Felonies or Misdemeanors;

In England:

In Scotland:

In Ireland.

Misdemeanors; and as to Ireland, in the Manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen Victoria, Chapter Ninety-three, and the Petty Sessions Act of the Twenty-first and Twenty-second Victoria, Chapter One hundred.

Summonses may be served on Secretary or Director of Railway Companies.

12. Each and every Summons may be served on the Secretary of the Railway Company or upon any Director personally.

Persons making Returns wilfully false to be guilty of a Misdemeanor.

13. Every Person who shall wilfully make or cause to be made, for the Purpose of being inserted in any Registry, any false Statement touching any Particulars herein required to be known and registered, shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable to be imprisoned for any Term not exceeding *Three Years*.

SCHE-

SCHEDULE.

[*Name of Company.*]

No. I.—RETURNS of Borrowing Power.

Date when received.	Acts of Parliament.	Amount authorized by Acts.	Amount sanctioned by Share-holders.	Date of Meeting when sanctioned.	Amount of Debenture Bonds and Debenture Stock outstanding at Date of Return.	
					Bonds.	Stock.

[*Name of Company.*]

No. II.—REGISTER of Issue of Bonds or Debentures and of Certificates of Debenture Stock.

Register Number.	Date.	Debenture Bonds.			Debenture Stock.			All other Bonds, Obligations, and Securities whatsoever.
		Number.	Date.	Amount.	Number of Certificate.	Date.	Amount.	

[*Name of Company.*]

No. III.—REGISTER of Discharges of Debentures and Debenture Stock.

Debentures.					Debenture Stock.			
Date when lodged.	Number of Debenture.	Date.	Registration Number.	Amount.	Number of Certificate.	Date.	Registration Number.	Amount.

Railway Debentures, &c. Registry.

A

BILL

For the Registry of Railway Debentures and Debenture Stock and other Obligations.

(*Prepared and brought in by Mr. Scourfield and Mr. Hankey.*)

Ordered, by The House of Commons, *to be Printed*, 17 *April* 1866.

[Bill 109.]

Under 1 *oz.*

A

B I L L

FURTHER

To secure to the Public the Means of travelling by Railway in Ireland.

WHEREAS it is expedient to make further Provision for securing to the Public the Means of travelling by Railways in Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. From and after the *passing of this Act*, every Passenger Railway Company in Ireland, so long as they shall continue to carry Passengers on Week Days over any Trunk, Branch, or Junction Line belonging to or leased by them, shall, unless excused therefrom as herein-after provided, by means of One Train at the least each Way, provide for the Conveyance of Passengers on every Sunday in the Year to and from the Terminal and other ordinary Passenger Stations of the Lines so as aforesaid belonging to or leased by them, under the Obligations contained in their several Acts of Parliament, and with the Immunities applicable by Law to Carriers of Passengers by Railways. Railway Companies shall run One Passenger Train each Way every Sunday.

Board of Trade may fix the Hour such Train shall start.

2. In case on any Railway in Ireland there shall be only One Sunday Passenger Train each Way, such Train shall start at an Hour to be from Time to Time fixed by the Directors of the Company working such Line, subject to the Approval of the Board of Trade, who shall have Power to alter the Hour so fixed, and to appoint another, if they shall consider such other Hour more suitable to afford reasonable Accommodation to the Public desirous of using such Railway than the Hour fixed by the said Directors.

Board of Trade may excuse a Railway Company from running a Sunday Train.

3. In case at any Time it shall appear to the Board of Trade, on the Application for that Purpose by any Passenger Railway Company, that, having regard to the public Convenience of any District and the Traffic therein, such Company may be excused from running Sunday Trains, as herein-before provided, on any Line belonging to or leased by them, it shall be lawful for the Board of Trade to make an Order that such Company may for the Time specified in such Order discontinue the running of Sunday Trains over their Line or Lines, but no such Order shall be made by the Board of Trade unless Proof shall be laid before the said Board that Notice of such Application to the said Board shall have been given by the Company making the same One Month at least before such Application, in Two Publications of a Newspaper published or circulating in the County or Counties in which the Railway belonging to or leased by the said Company shall be situate, such Publications to be at an Interval of at least *One Week* from each other, and such Order shall only be in force for such Period not exceeding *One Year* as may be mentioned in the said Order, but may be renewed from Time to Time on further Application with the like Notice to the Public of the District.

Third-class Passengers shall be conveyed within a Day from End to End along all Lines forming One continuous Railway Communication on which First and Second Class Passengers are conveyed from End to End in One Day.

4. Every Passenger Railway Company in Ireland having or working a Trunk Line or Junction Line in Ireland which forms or shall form Part of a continuous Line of Railway Communication with any Branch Line in Ireland, and over which First and Second Class Passengers are or shall be conveyed by an ordinary Train from the Terminal or other ordinary Passenger Stations of said Branch Line to the Terminal or other ordinary Passenger Stations of said Trunk or Junction Line in One Day, shall, by means of One Train at the least each Way on every Day such Company shall run Passenger Trains, provide Accommodation for the Conveyance in One Day of Third-class Passengers from the Terminal or other ordinary Passenger Stations of the said Branch Line to the Terminal or other ordinary Passenger Stations of the said Trunk or Junction Line, and vice versâ, so that Third-class Passengers

Passengers may be enabled to travel in One Day from the Terminal or other Passenger Stations of the said Branch Line to the Terminal or other Passenger Stations of the said Trunk or Junction Line, and vice versâ, in all Cases when Accommodation for that Purpose is provided by any Railway Company for First and Second Class Passengers by any Ordinary Train.

Board of Trade to settle Disputes between Companies about the Hours of forwarding Third-class Passengers.

5. In case the Companies working the different Lines which may from Time to Time form One continuous Line of Railway Communication in Ireland shall differ about the Hours at which Accommodation for Third-class Passengers shall be severally provided by them, in order to carry out the Provisions of this Act, the Matter shall be referred to the Board of Trade, who shall have Power from Time to Time to fix the Hours at which such Accommodation shall be severally provided by the said Companies for Third-class Passengers, to carry out the Object aforesaid.

Provisions of this Act to be enforced in the same Manner as the Provisions of the Railway and Canal Traffic Act, 1854.

6. The Provisions of this Act may be enforced by all the Modes provided by the Railway and Canal Traffic Act, 1854, for enforcing the Provisions of that Act; and Railway Companies shall be liable for the Nonperformance of the Provisions of this Act to all the Penalties imposed on them by the said Act for the Nonperformance of the Provisions of that Act.

Construction of Terms in this Act.

7. In the Construction of this Act the Words "One Day" shall be considered to mean from *Seven o' Clock* in the Morning till *Ten o' Clock at Night;* the Words "Branch Railway" shall mean any Railway or Portion of a Railway forming a continuous Line of Railway Communication with any Railway of a greater Mileage than itself; and the Words "Board of Trade" shall mean the Lords of the Committee of Privy Council for Trade and Plantations.

Title of this Act.

8. This Act may be cited as "The Railway Traffic Act (Ireland), 1866."

Railway Travelling (Ireland).

A

B I L L

Further to secure to the Public the Means of travelling by Railway in Ireland.

(*Prepared and brought in by Sir Colman O'Loghlen, Major Gavin, and Captain Stacpoole.*)

Ordered, by The House of Commons, *to be Printed,* 8 *February* 1866.

[Bill 2.]

Under 1 *oz.*

Railways Clauses Bill.

ARRANGEMENT OF CLAUSES.

Preliminary Provisions.

Clauses.

1. Short Title.
2. Division of Act into Parts.
3. Application of Act.
4. Interpretation.
5. Recovery and Application of Penalties.
6. Form and Delivery of Notices, Consents, &c.

PART I.

METROPOLITAN RAILWAYS.

Construction of Acts.

7. Deposit of Plans, &c. with Vestry Clerk, &c.
8. In Westminster, High Bailiff substituted for Sheriff.

Compensation.

9. Disputed Compensation as to Lands in City of London.
10. Compensation to Tenants from Year to Year, &c. in Metropolis.

Works affecting Sewers, &c.

11. Power to deviate from Levels for avoiding Sewers, &c.
12. Protection of Sewers, &c. of Metropolitan and other Boards.

Bridges.

13. Bridges over Streets in Metropolitan District.

Cuttings, &c.

14. Cuttings, &c. affecting Streets in Metropolis

Clauses.

Works before mentioned in General.

15. Regulations where Notice given to Metropolitan Board of Works, &c.

Works affecting Streets.

16. Protection of Streets in Metropolis.
17. Deposit of Materials on Streets, &c.
18. Payment for Stones and Materials.

Lighting of Arches.

19. Power for Metropolitan Board, &c. to light Arches over Streets.

Inclosures.

20. Hoardings or Walls to be provided by Company.
21. Inclosure of Arches.

Works affecting Water and Gas.

22. Superintendence of Water and Gas Companies.
23. Interruption of Supply of Water or Gas.
24. Power to Water and Gas Companies to enter and repair Pipes, &c.
25. Provision for larger Mains.
26. Repairs of Pipes, &c. to be borne by Company in certain Cases.

Works affecting Telegraphs, &c.

27. Protection of Telegraphic Apparatus, &c.

Openings for Light and Air.

28. Power to Company to make Opening in Carriageway.

New Streets.

29. Works connected with new Streets.
30. Power to deviate from Levels, &c. of new Streets.
31. New Streets to be under Care of Local Authorities.
32. Elevations of Houses to be approved by Metropolitan Board of Works.

Expenses of Superintendence, &c.

33. Company to pay Expenses of Metropolitan Board, &c.

Arbitration.

34. Differences between Company and Metropolitan Board, &c.

Superfluous

Clauses.

Superfluous Lands.

35. Building Leases, &c. of superfluous Lands.
36. Apportionment of Rent, &c. on Severance of Reversion.

Local Rates.

37. Local Rates to be made good.

Trains for Artisans, &c.

38. Company to run Morning and Evening cheap Trains.
39. Regulations as to Tickets.
40. Compensation for Injury to such Passengers.

Savings.

41. Saving for Rights of Corporation of London and Commissioners of Sewers.
42. Saving for Rights of Metropolitan Board of Works, &c.
43. Saving for Rights of Crown Estate Paving Commissioners.
44. Saving for Battersea Park Commissioners.
45. Saving for Operation of General Acts.

PART II.

RAILWAYS IN GENERAL.

Lands.

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65. Saving for Lands &c. of Commissioners of Works, &c.
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A

B I L L

FOR

Consolidating in One Act Provisions applicable to Metropolitan and other Railways.

WHEREAS The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, were passed in order to comprise in General Acts Provisions relating to Railways in England or Ireland, or in Scotland, usually introduced into Acts authorizing the Construction of Railways : Preamble.

And whereas there are various Provisions applicable to Metropolitan and other Railways, not comprised in those General Acts, which it is expedient to comprise also in a General Act, and that as well for the Purpose of avoiding the Necessity of repeating such Provisions in Special Acts as for ensuring greater Uniformity in the Provisions themselves :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Preliminary Provisions.

1. This Act may be cited as The Railways Clauses Act, 1866. Short Title.

Division of Act into Parts.

2. This Act (except as respects the preliminary Provisions) shall be deemed to be divided into Two Parts, as follows:

Part I.—relating to Metropolitan Railways:
Part II.—relating to Railways in General.

Application of Act.

3. This Act and each Part thereof (as the Case may be) shall apply to the Railway to which any Special Act incorporating this Act or either Part thereof relates; and in this Act the Terms "the Railway," "the Special Act," and "the Company," mean respectively every such Railway and such Special Act as aforesaid and the Railway Company incorporated or empowered by the Special Act, and the Term "prescribed" means prescribed by the Special Act.

Interpretation

4. In this Act—

The Term "the Metropolis" has the same Meaning as in The Metropolis Management Act, 1855:

The Terms "Vestry" and "District Board" mean respectively a Vestry and a District Board constituted under or regulated by The Metropolis Management Act, 1855, and the Acts amending the same, and their Successors, for the Time being:

The Terms "Commissioners" and "Trustees" mean respectively the Commissioners or Trustees referred to, and their Successors, for the Time being:

The Term "the City of London" includes the Liberties thereof:

The Term "Street" means a Highway whether a Thoroughfare or not, and includes a Road (whether a Turnpike Road or not), Lane, Square, Court, Alley, Passage, and Mews, and includes any Ground by the Side of and forming Part of a Street, and the Surface, Pavement, Soil, and Subsoil of a Street, and the Footway of a Street, and any Bridge forming Part of a Street, and includes Drains and Gullies for keeping the Street dry, and being under the Control of the Street Authority:

The Term "Street Authority" means the Board, Vestry, District Board, Commissioners, Trustees, or other Body having the Control of the Street referred to:

The Term "Sewer" includes Drain, Pipe, Sink, Sluice, Penstock, Conduit, and Watercourse:

The Term "Work" used with reference to a Work of the Metropolitan Board of Works, or of a Vestry or District Board, or of Commissioners of Sewers, includes Sewer, Wear, Dam, Bank, and Defence, and means such a Work made or executed by them or being within or under their Jurisdiction, Survey, Order, or Control, or executed for the Sewerage or Drainage of the District under their Control:

The Terms "deposited Plans" and "deposited Sections" mean respectively the Plans and the Sections deposited according to the

the Standing Orders of the Houses of Parliament for the Purposes of the Application for the Special Act:

The Term "Lands" includes Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Term "Court of competent Jurisdiction" shall have effect as if the Debt or Demand with respect to which the same is used were an ordinary Simple Contract Debt, and not a Debt or Demand created by Statute:

The Term "Two Justices" includes an Alderman of the City of London, or any Police Magistrate or Justice of the Peace having by Law Authority to act alone for any Purpose with the Power of Two Justices.

In the Special Act the Terms aforesaid shall have the same Meaning as in this Act, unless it is otherwise provided in the Special Act.

Recovery and Application of Penalties.

5. Penalties under this Act shall be recovered and applied as Penalties under The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, (as the Case may require) are recoverable and applicable.

Form and Delivery of Notices, Consents, &c.

6. With respect to Notices, Counter-notices, Approvals, Consents, and Directions, and to the Delivery thereof and of other Documents by or to the Company under this Act, the following Provisions shall have effect:—

(1.) Every Notice, Counter-notice, Approval, Consent, or Direction shall be in Writing or Print, or partly in Writing and partly in Print; and when given by the Metropolitan Board of Works, or by the Commissioners of Sewers of the City of London, shall be sufficiently authenticated by being signed by the Engineer or the Clerk of the Board or Commissioners, and when given by the Trustees of any Turnpike Road shall be sufficiently authenticated by being signed by any *Three* of them:

(2.) Any Notice to be delivered by the Company to the Metropolitan Board of Works, or to the Commissioners of Sewers of the City of London, or to any Vestry, District Board, Trustees, or other Body, may be delivered by being left at the Office of such Board, Commissioners, Vestry, District Board, Trustees, or other Body, or by being sent by Post in a registered Letter addressed to their Clerk at their Office; and every such Letter shall be deemed to be delivered to such Board, Commissioners, Vestry District Board, Trustees, or other Body on the Day on which the same ought to be delivered to their Clerk at their Office in the ordinary Course of Post:

(3.) Any Notice, Counter-notice, Approval, Consent, or Direction to be given or delivered to the Company by the Metropolitan Board of Works, or by the Commissioners of Sewers of the City of London, or by any Vestry, District Board, Trustees, or other Body or Authority, or by any Company, may be given or delivered in manner provided by Section One hundred and thirty-five of The Companies Clauses Consolidation Act, 1845, or by Section One hundred and thirty-seven of The Companies Clauses Consolidation (Scotland) Act, 1845, (as the Case may require).

PART I.

Metropolitan Railways.

Construction of Acts.

Deposit of Plans, &c. with Vestry Clerk, &c.

7. In the Construction, in connexion with the Special Act, of The Railways Clauses Consolidation Act, 1845, the Terms "Parish Clerks of the several Parishes," "Parish Clerks," and "Clerks of the several Parishes," used in the last-mentioned Act, shall, as regards those Parishes or Extra-parochial Places in which by the Standing Orders of either House of Parliament for the Time being in force Plans, Sections, and other Documents are required to be deposited with the Clerk of the Vestry of the Parish, or with the Clerk of the District Board of Works for the District in which the Parish or Extra-parochial Place is included, mean, in the First Case, the Vestry Clerks of those Parishes, and, in the Second Case, the Clerks of those District Boards.

In Westminster, High Bailiff substituted for Sheriff.

8. With respect to any Railway or Work authorized by the Special Act within the City and Liberty of Westminster, the Term "Sheriff" used in the Special Act or in any Act incorporated therewith shall, for the Purposes of the Special Act, mean the High Bailiff of Westminster in all Cases where the High Bailiff discharges the Duties and Offices usually discharged by the Sheriff.

Compensation.

Disputed Compensation as to Lands in City of London.

9. Where under the Special Act any Question of disputed Compensation relating to Lands in the City of London is to be determined by the Verdict of a Jury, the Jury shall be required to appear before the Court of the Mayor and Aldermen of the said City to be holden in the Outer Chamber of the Guildhall of the said City, according to the Custom of the said City, at a Time to be appointed by the said Court; and all the Provisions of The Lands Clauses Consolidation Act, 1845, with respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and

and be applied with respect to the Settlement of any such Question of disputed Compensation under the Special Act by a Jury appearing before the said Court; and the said Court shall give Judgment for the Purchase Money or Compensation assessed by the Jury; and a Verdict and Judgment shall be signed by the Registrar of the said Court, and shall be entered among the Records of the said Court; and the said Registrar shall settle the Costs of the Inquiry.

Compensation to Tenants from Year to Year, &c. in Metropolis.

10. Every Claim for Compensation made on the Company under Section Sixty-eight of The Lands Clauses Consolidation Act, 1845, and Section Six of The Railways Clauses Consolidation Act, 1845, or either of them, or under any Special Act incorporating those Sections or either of them, in respect of Lands in the Metropolis, shall, if the Claimant has no greater Interest in the Lands than as Tenant for a Year, or from Year to Year, be determined in manner provided by Section One hundred and twenty-one of The Lands Clauses Consolidation Act, 1845.

Works affecting Sewers, &c.

Power to deviate from Levels for avoiding Sewers &c.

11. In the Construction of the Railway within the Metropolis the Company may deviate from the Levels and Gradients indicated on the deposited Sections to the Extent found necessary or convenient for avoiding or accommodating Sewers or improving the Sewerage or Drainage or Works in or under any Street through which the Railway passes, and may alter the Inclination of the Railway accordingly, notwithstanding anything in The Railways Clauses Consolidation Act, 1845, subject to these Two Restrictions, that is to say,—first, that no such Deviation be made without the Consent of the following Authority, namely, as to the City of London, except with respect to the Main Drainage Works, of the Commissioners of Sewers, and as to the rest of the Metropolis, and with respect to the Main Drainage Works in the City of London, of the Metropolitan Board of Works; and, secondly, that the Level or Inclination of the Surface of any Street be not thereby affected.

Protection of Sewers, &c. of Metropolitan and other Boards.

12. Where any Work authorized by the Special Act will or may pass or be over, under, or by the Side of, or will or may prejudicially affect, any Work of the Metropolitan Board of Works, or of any Vestry or District Board, or of the Commissioners of Sewers of the City of London, then and in every such Case the following Provisions shall have effect:—

(1.) The Company shall not commence that Work until the Expiration of *Twenty-one Days* after they have delivered to the Metropolitan Board, Vestry, District Board, or Commissioners concerned Notice of their Intention to do so:

(2.) The Company shall, at their own Expense and Risk, provide such new, altered, diverted, re-constructed, or substituted Works, as the Board, Vestry, District Board, or Commissioners concerned reasonably require for Protection of their own Work, and under the Superintendence and to the reasonable Satisfaction of the Engineer of the Board, Vestry, District Board, or Commissioners:

(3.) When any such new, altered, diverted, re-constructed, or substituted Work, or any Work connected therewith, is completed, the same shall thenceforth be deemed to be a Work of the Board, Vestry, District Board, or Commissioners concerned, within the Meaning of this Act, and for all Purposes.

Bridges.

Bridges over Streets in Metropolitan District.

13. Where the Railway is carried over any Street within the Metropolis, the following Provisions shall have effect:—

(1.) The Railway shall there be made and always maintained in such Manner as not to lessen the clear Width of the Carriageway and Footway of the Street as existing at the Time of the making of the Railway:

(2.) The Arch or Opening of any Bridge there shall have a Headway of a Height not less than the prescribed Height, and if the Height of the Headway is not prescribed, then the Height thereof shall not be less than *Eighteen Feet* in the Centre, except with the Consent, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works:

(3.) Every such Bridge shall be made ornamental, to the reasonable Satisfaction, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works, regard being had to the Character, Situation, and Neighbourhood of the Bridge:

(4.) Any Abutment or Pier of any such Bridge shall not project beyond the general Line of Frontage of the adjoining Houses, save that where there are Gardens or Forecourts in Front of Houses, and the Distance between the Houses is great, the Company, with the Approval, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works, may erect and maintain Side Openings supported with Columns back to the general Line of Frontage of the Houses:

(5.) Every such Bridge shall be made and kept watertight, that is to say, shall be so constructed and maintained as to prevent, as far as practicable, Rain or other Water dripping or otherwise passing through it:

(6.) Every

(6.) Every such Bridge shall be so constructed and maintained as to deaden as far as practicable the Sound of Traffic passing over it:

(7.) The Company shall not commence the Erection of any such Bridge until the Expiration of *Twenty-one Days* after they have delivered Notice of their Intention to do so, as to the City of London, to the Commissioners of Sewers, and as to the rest of the Metropolis, to the Metropolitan Board of Works.

Cuttings, &c.

Cuttings, &c. affecting Streets in Metropolis.

14. Where the Railway is carried by means of a Cutting or otherwise under any Street within the Metropolis, the following Provisions shall have effect:—

(1.) If the Railway interferes with or alters the Level or Inclination of the Street it shall there be made and maintained in such Manner that the Inclination of the Street be not more than the prescribed Rate, and if none is prescribed then not more than *One Foot* in *Forty Feet:*

(2.) Every Bridge constructed by the Company for carrying the Street over the Railway shall be so constructed as not to lessen the Width of the Street, as existing at the Time of the Construction of the Bridge:

(3.) Every such Bridge shall be always so covered as to prevent as far as practicable the Escape of Steam, Smoke, or other offensive Thing into the Street:

(4.) Every such Bridge shall be so constructed and maintained as to deaden as far as practicable the Sound of Traffic passing under it:

(5.) The Company shall not commence the Construction of any such Bridge until the Expiration of *Twenty-one Days* after they have delivered Notice of their Intention to do so, as to the City of London, to the Commissioners of Sewers, and as to the rest of the Metropolis, to the Metropolitan Board of Works.

Works before mentioned in General.

Regulations where Notice given to Metropolitan Board of Works, &c.

15. Where under the foregoing Provisions the Company deliver to the Metropolitan Board of Works or any Vestry, District Board, or Commissioners, a Notice of their Intention to commence any Work, the following Provisions shall have effect:

(1.) The Company shall deliver with the Notice, a Plan and Section of the Work, and in case of a Bridge, an Elevation of the Bridge:

(2.) The Company shall not commence the Work until the Board, Vestry, District Board, or Commissioners concerned give their Approval thereof, unless they fail to

give their Approval or Disapproval thereof, or to give any Direction respecting the same, within *Twenty-one Days* after the Delivery of such Notice, with the Plan and Section, and with the Elevation in case of a Bridge:

(3.) In the Execution of the Work the Company shall comply with the reasonable Directions of the Board, Vestry, District Board, or Commissioners concerned:

(4.) The Work shall be executed under the Superintendence of the Engineer or Surveyor of the Board, Vestry, District Board, or Commissioners concerned.

Works affecting Streets.

Protection of Streets in Metropolis.

16. Notwithstanding anything in The Railways Clauses Consolidation Act, 1845, the following Provisions shall have effect in relation to Streets within the Metropolis:—

(1.) The Company shall not break up any Part of a Street until after the Expiration of *Twenty-one Days* from the Delivery by them to the Street Authority of a Notice specifying the Portion of the Street (not exceeding *Five hundred Yards* run) intended to be broken up, and the Time at which the Work will be commenced,—except in case of Emergency, in which Case the Company shall deliver to the Street Authority a Notice specifying the Portion of the Street interfered with as soon as possible after they commence to break up the same:

(2.) The Company shall not, except with the previous Consent in each Instance of the Street Authority, break up more than *Five hundred Yards* in Length of a Street at One Time:

(3.) The Company shall not break up a Street except under the Superintendence of the Surveyor of the Street Authority, unless he refuses or fails to give such Superintendence, and in the Execution of the Work the Company shall comply with the reasonable Directions of such Surveyor:

(4.) The Company shall make, and during the Execution of the Works affecting the Street maintain, to the reasonable Satisfaction of such Surveyor, all temporary Footways, Works, and Conveniences necessary or proper for safe and commodious Ingress and Egress to and from Houses in and near the Line of their Works, and for Preservation of an uninterrupted Supply of Water and Gas to the Street and to those Houses:

(5.) The Company shall not deposit any Subsoil or Rubbish excavated, or any Materials of the Street broken up, except at such Place and in such Manner as such Surveyor approves:

(6.) The Company shall, at their own Expense, while the Street is broken up, cause it to be properly fenced and guarded, and

and proper Light and Watch for the Warning of Passengers to be set up and kept there by Night to the reasonable Satisfaction of such Surveyor; and the Company shall as between themselves and the Street Authority, be answerable for all Accidents and Damage happening by reason or in consequence of the Works of the Company:

(7.) Such Surveyor shall at all Times during the Execution or Repair of the Company's Works affecting the Street have free Access to those Works:

(8.) The Company shall, to the reasonable Satisfaction of such Surveyor, provide new, altered, diverted, or substituted Drains and Gullies in the Street necessary or proper in consequence of the Company's Works:

(9.) The Company shall within the prescribed Time, and if none is prescribed then within *Six Months* after breaking up any Part of the Street, complete their Works affecting that Part thereof, and fill in the Ground, and except where the Surface is by the Special Act authorized to be permanently interfered with, make good and restore the same to the reasonable Satisfaction of such Surveyor, and remove all Rubbish occasioned by their Works:

(10.) Nevertheless, it shall be in the Option of the Street Authority to make good and restore the Paving, Macadamization, or other Surface Work, and remove the Rubbish, instead of permitting the same to be done by the Company; and the Expenses of their so doing shall be paid to them by the Company on Demand, or on default may be recovered by them from the Company by Proceedings in any Court of competent Jurisdiction:

(11.) The Company shall defray the Expense incurred by the Street Authority in maintaining and keeping in repair the Street for *Twelve Months* next after the same has been made good and restored as aforesaid, and in Default of Payment thereof the Street Authority may recover the same from the Company by Proceedings in any Court of competent Jurisdiction:

(12.) If the Company fail to comply in any respect with the Provisions of the present Section, they shall forfeit and pay to the Street Authority a Sum not exceeding *Twenty Pounds* for every such Default, and a further Sum not exceeding *Five Pounds* for every *Twenty-four* Hours during which any such Default continues after Notice thereof delivered to them by the Street Authority; and every such Sum may be recovered by Proceedings in any Court of competent Jurisdiction:

(13.) If after breaking up the Street the Company fail to execute any Work required by the present Section, the Street Authority may do so, and the Expense of doing so shall be repaid to them by the Company on Demand, or on Default may be recovered from the Company by Proceedings in any Court of competent Jurisdiction.

Deposit of Materials on Streets, &c.

17. The Company shall not permit any Materials, Rubbish, or other Thing to be laid, shot, or placed by any of their Contractors, Agents, Servants, or Workmen on any Street within the Metropolis, except as far as is necessary for any of the Company's Works, and so as not to obstruct the passing of Carriages, or to interfere with the Footway on one Side of the Street while the Footway on the other Side thereof is obstructed by the Company, except with the previous Consent in each Instance of the Street Authority.

If the Company fail to comply in any respect with the Provisions of the present Section they shall forfeit and pay to the Street Authority a Sum not exceeding *Five Pounds* for every such Default, and a further Sum not exceeding *One Pound* for every *Twenty-four Hours* during which any such Default continues after Notice thereof delivered to them by the Street Authority, every such Sum to be recovered by Proceedings in any Court of competent Jurisdiction.

Payment for Stones and Materials.

18. Where any Street within the Metropolis is about to be permanently stopped up by the Company, under the Authority of the Special Act, the Company shall pay to the Street Authority the Value of such Paving Stones and other Materials and Things in the Street as are the Property of or vested in the Street Authority before the Company remove or interfere with the same, or the Value thereof may be recovered by the Street Authority from the Company by Proceedings in any Court of competent Jurisdiction.

Lighting of Arches.

Power for Metropolitan Board, &c. to light Arches over Streets.

19. Where any Arch over a Street within the Metropolis will, in the Opinion of the Metropolitan Board of Works, or, if it is within the City of London, of the City Commissioners of Sewers, cause public Inconvenience by obstructing the Light in the Street, the Metropolitan Board of Works or the City Commissioners of Sewers, as the Case requires, may set up and fix thereon or therein or near thereto, and keep lighted with Gas by Day and by Night, a Lamp or Lamps for affording proper Light and Security to Passengers; and the Expenses thereof and necessarily consequent thereon shall be borne and paid by the Company, and

and may be recovered by Proceedings in any Court of competent Jurisdiction.

Inclosures.

Hoardings or Walls to be provided by Company.

20. Where by reason of any Work of the Company any Ground is thrown open to any Street within the Metropolis, the Company shall, if required by Notice delivered to them, as to the City of London by the Commissioners of Sewers, and as to the rest of the Metropolis by the Vestry or District Board within whose District the Ground is situate, within *Twenty-one Days* after Delivery of such Notice, inclose the Ground in a Line with the Houses in the Street with good close Hoarding or Brick Wall not less in Height than the prescribed Height, and if none is prescribed, then not less than *Seven Feet* in Height, and the Company shall for ever thereafter, by means of such a Hoarding or Wall, or by some Building or other fit Means, prevent the Ground from being open to the Street.

If the Company fail to execute or maintain any Work which by the present Section they are required to execute and maintain, the Commissioners, Vestry, or District Board concerned may do so, and may recover the Expense of doing so from the Company, by Proceedings in any Court of competent Jurisdiction.

Inclosure of Arches.

21. Where any Arch under a Railway within the Metropolis, not being over Water or over a public Thoroughfare, is yet open to the Public, the Company shall, if required by the Metropolitan Board of Works, or, in case the Arch is within the City of London, by the Commissioners of Sewers, inclose or fence in the Arch so as to prevent it being or occasioning, by reason of its being open to the Public, any Nuisance or Detriment to the Inhabitants of the Neighbourhood, and keep it so inclosed or fenced in.

If the Company fail to execute or maintain any Work which by the present Section they are required to execute and maintain, the Metropolitan Board of Works, or the Commissioners of Sewers, as the Case requires, may do so, and may recover the Expense of doing so from the Company by Proceedings in any Court of competent Jurisdiction.

Works affecting Water and Gas.

Superintendence of Water and Gas Companies.

22. All Works and Things which under The Railways Clauses Consolidation Act, 1845, or the Special Act, the Company are empowered or required to execute or do with reference to the Mains, Pipes, Syphons, Plugs, or other Works within the Metropolis of any Water or Gas Company, shall be executed or done by, and at the Cost of the Railway Company, but to the reasonable Satisfaction of the Engineer of the Water or Gas Company.

Interruption of Supply of Water or Gas.

23. If any Interruption in the Supply of Water or Gas by any Water or Gas Company is in any way occasioned within the Metropolis

Metropolis by the Railway Company, or by their Contractors, Agents, Servants, or Workmen, or any Persons in the Employment of them or any of them, the Railway Company shall forfeit and pay to the Water or Gas Company a Sum not exceeding *Ten Pounds* for every *Hour* during which such Interruption continues, to be recovered by Proceedings in any Court of competent Jurisdiction.

Power to Water and Gas Company to enter and repair Pipes, &c.

24. Any Water or Gas Company, their Officers, Servants, and Workmen may from Time to Time, as Occasion requires, enter on the Railway and Works and the Lands of the Railway Company within the Metropolis at any Place where for the Time being there are Mains, Pipes, Syphons, Plugs, or other Works of the Water or Gas Company, in order to execute and do, and accordingly may execute and do, all such Works and Things in and on the Railway and Works and the Lands of the Railway Company as are necessary or proper for the repairing, maintaining, removing, or replacing of any such Mains, Pipes, Syphons, Plugs, or other Works in, under, or over the Railway and Works and the Lands of the Railway Company, not interrupting the Traffic on the Railway, doing as little Damage as may be, and making reasonable Compensation to the Railway Company for all such Damage.

Provision for larger Mains.

25. Where the Construction of the Railway or the Execution of any Work connected therewith within the Metropolis interferes with the Mains of any Water or Gas Company, the Railway Company shall at the Time of such Construction or Execution, on the Request of the Water or Gas Company, make Provision, as far as practicable, for allowing those Mains to be from Time to Time afterwards replaced by others of a larger Size.

Repairs of Pipes, &c. to be borne by Company in certain Cases.

26. The Expense of all Repairs and Renewals of any such Mains, Pipes, Syphons, Plugs, or other Works within the Metropolis, at any Time made necessary by the Acts or Defaults of the Railway Company, or of their Contractors, Agents, Servants, or Workmen, or any Persons in the Employment of them or any of them, shall be borne and paid by the Railway Company, and may be recovered by Proceedings in any Court of competent Jurisdiction.

Works affecting Telegraphs, &c.

Protection of Telegraphic Apparatus, &c.

27. The Company in executing Works within the Metropolis shall interfere as little as may be with any Tube or Apparatus placed for the Purpose of Telegraphic Communication or belonging to the Pneumatic Despatch Company (Limited); and before executing any Work that might interrupt or obstruct the working of the same the Railway Company shall, to the reasonable Satisfaction of the

the Company or Person to whom such Tube or Apparatus for the Purpose of Telegraphic Communication belongs, or of the Pneumatic Despatch Company (Limited), as the Case may be, make Provision necessary or proper for preventing Interruption of or Obstruction to the Use or working of such Tube or Apparatus, and shall make reasonable Compensation for any Damage or Loss caused to such Tube or Apparatus or to the Company or Person to whom it belongs, such Compensation to be recovered by Proceedings in any Court of competent Jurisdiction.

Openings for Light and Air.

Power to Company to make Opening in Carriageway.

28. The Company, with the Approval, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis of the Metropolitan Board of Works, may make Openings in the Carriageway of any Street within the Metropolis, for the Purpose of affording Light and Air to the Railway and Works (where underground) during the Progress thereof and after their Completion, subject to the following Restrictions:

(1.) The Position of every such Opening shall be such as the Commissioners or Metropolitan Board of Works prescribe:

(2.) Every such Opening shall be inclosed by an Erection of an ornamental Character, according to a Design approved by the Commissioners or Metropolitan Board of Works:

(3.) No such Erection shall occupy more than a Four-sided Space *Five Feet* long on each Side:

(4.) No such Opening shall be used for the carrying of Earth, Spoil, or other Things from the Railway or Works, or for the raising or lowering of Workpeople, or of Tools, Tackle, Scaffolding, or other Things, or for any Purpose other than that of affording Light and Air as aforesaid.

New Streets.

Works connected with new Streets.

29. Where the Company are authorized to make within the Metropolis any new Street, then, subject to the Provisions of the Special Act and this Act and in accordance with the deposited Plans, or within the Limits thereon defined, the Company may in connexion with the new Street, and as Part of the Works by the Special Act authorized, and for the Purposes thereof, make Junctions and Communications with any existing Streets interfered with by or contiguous to the new Street, and make Diversions, Widenings, or Alterations of Lines or Levels of any existing Streets, for the Purpose of connecting the same with the new Street, and remove, destroy, alter, divert, stop up, inclose, use, or appropriate all or any Part of any Street, or of any Sewer, or void Ground within the Limits of lateral Deviation defined on the deposited

Plans, providing a proper Substitute before interrupting the Flow of Sewage in any Sewer.

Power to deviate from Levels, &c. of new Streets.

30. In making the new Street the Company may, subject to the Provisions of this Act, deviate to any Extent not exceeding *Five Feet* from the Levels defined on the deposited Sections, and may, subject as aforesaid, deviate from the Lines of the new Street within the Limits of Deviation defined on the deposited Plans; but the Company shall not deviate beyond the last-mentioned Limits without the Consent of the Person through whose Lands any such Deviation is made.

New Streets to be under Care of Local Authorities.

31. When the Roadway and Footway of the new Street are completed and paved (of which a Certificate under the Hands of Two Justices shall be for all Purposes conclusive Evidence) they may be used by the Public; and thenceforth the Roadway and Footway of the new Street, with the sole Power, Authority, and Duty of paving, repairing, cleansing, and lighting the same, and for those Purposes of rating Hereditaments within the same, shall be under the like Care, Management, Control, and Jurisdiction as the Roadway and Footway of the public Streets within the several Parishes or Places in which the new Street is made.

Elevations of Houses to be approved by Metropolitan Board of Works.

32. The Houses, Erections, and Buildings fronting to any new Street shall be constructed on such Elevations as, with respect to the City of London, the Commissioners of Sewers, and with respect to the rest of the Metropolis, the Metropolitan Board of Works, before the Erection thereof, approve; and any House, Erection, or Building fronting to the new Street, acquired by the Company but not removed or rebuilt by them, shall be so altered by the Company as, with respect to the City of London, the Commissioners of Sewers, and with respect to the rest of the Metropolis, the Metropolitan Board of Works require or approve for the Purpose of making the Elevations of all Houses, Erections, or Buildings fronting to the new Street uniform or as nearly so as may be.

Expenses of Superintendence, &c.

Company to pay Expenses of Metropolitan Board, &c.

33. All reasonable Expenses to which the Metropolitan Board of Works, or any Vestry, District Board, Commissioners, Trustees, or other Body are put, by reason of any Interference or Control exercised by them by virtue of the Special Act or this Act in relation to any of the Company's Works (in respect of Examination or Preparation of Plans, Sections, or Elevations, or in respect of Superintendence or on any other account) shall be borne by the Company and shall be paid to them by the Board, Vestry, District Board, Commis-

Commissioners, Trustees, or other Body concerned, or may be recovered by Proceedings in any Court of competent Jurisdiction.

Arbitration.

Differences between Company and Metropolitan Board, &c.

34. If any Difference arises between the Company on the one Side, and the Metropolitan Board of Works, or any Vestry, District Board, Commissioners, Trustees, or other Body, or any Water or Gas Company, or any Company or Person to whom any Tube or Apparatus for the Purpose of Telegraphic Communication belongs, or the Pneumatic Despatch Company (Limited), or any other Company on the other Side,—with respect to any Interference or Control exercised or claimed to be exercised by them or him or on their or his Behalf, by virtue of the Special Act or this Act in relation to any of the Company's Works,—or with respect to any Plan, Section, or Elevation, or the Necessity or Propriety of or the Mode of Execution of any Work,—or with respect to the Amount of the Compensation to be made by any Water or Gas Company to the Railway Company,—or on the Question whether any Plan or Work is such as ought reasonably to satisfy the Board, Vestry, District Board, Commissioners, Trustees, Body, Company, or Person concerned,—or with respect to any other Subject or Thing regulated by or comprised in this Act,—then and in every such Case the Matter in difference shall be settled by an Engineer or other fit Person nominated as Referee by the Board of Trade on the Application of either Party, and the Expenses of the Reference shall be borne and paid as the Referee directs.

Superfluous Lands.

Building Leases, &c. of superfluous Lands.

35. Where the Company hold any superfluous Lands within the Metropolis, they may at any Time and from Time to Time grant Leases or otherwise dispose thereof for Building or other Purposes, for such Terms of Years or other Interests, at or for such Rents or other Considerations, and subject to such Covenants, Conditions, and Stipulations, or on such other Terms as they deem expedient with reference to the Circumstances of each Case.

Apportionment of Rent, &c. on Severance of Reversion.

36. Whenever by vesting in various Owners or otherwise, the Reversion on any such Lease is severed, any Rent reserved thereon may be apportioned by Agreement between the Owners; and if such Apportionment is not so settled by Agreement, the same shall be settled by an Arbitrator appointed by the Board of Trade; and after any such Apportionment, the Owner of each Part of the Reversion shall, in respect of the apportioned Rent allotted or belonging to him, have the Benefit of all Conditions or Powers of Re-entry for Non-payment of the original Rent, in like manner as if such Conditions or Powers had been reserved to him as incident to his Part of the

Reversion, in respect of the apportioned Rent allotted or belonging to him.

Local Rates.

Local Rates to be made good.

37. If and while the Company are possessed under the Special Act of any Lands within the Metropolis assessed or assessable to any Sewers Rate, Consolidated Rate, Poor Rate, Police Rate, Main Drainage Rate, Church Rate, Tithe Rate, or other Parochial or Ward Rate, they shall from Time to Time, until the Railway is completed and assessable for such Rates, be liable to make good the Deficiency in the Assessment for such Rates by reason of those Lands being taken or used for the Purposes of the Railway or Works; and the Deficiency shall be computed according to the Rental at which those Lands, with any Buildings thereon, were rated at the Time of the passing of the Special Act.

Trains for Artisans, &c.

Company to run Morning and Evening cheap Trains.

38. Where the Company has a Terminus or other Station within the Metropolis, the Company shall run a Train every Morning (Sunday, Christmas Day, and Good Friday excepted) from and to the prescribed Stations, and if none are prescribed, then from and to the Stations from Time to Time appointed by the Board of Trade, calling at all intermediate Stations, and a Train every Evening (Sunday, Christmas Day, and Good Friday excepted) from and to the prescribed Stations, and if none are prescribed, then from and to the Stations from Time to Time appointed by the Board of Trade, calling at all intermediate Stations, at the Hours (not being in the Morning later than *Seven* o'Clock or in the Evening earlier than *Six* o'Clock) most convenient to Artisans, Mechanics, and daily Labourers (Male and Female) residing near the Line of the Railway, and having Business daily within the Metropolis, at Prices not exceeding *One Penny* for each Passenger for each Journey (in addition to any Duty payable to Her Majesty), subject to the following Provisions:

(1.) In case any Complaint is made to the Board of Trade of the Hours appointed by the Company for such Trains, the Board of Trade may, if they think it expedient, regulate the same from Time to Time:

(2.) If in any continuous Period of *Six Months* it is found that less than *One hundred* of such Passengers have been conveyed by each of such Trains, the Company, on Proof of that Fact to the Satisfaction of the Board of Trade, may discontinue the running of such Trains, but the Board of Trade may at any Time order the Resumption thereof by the Company, if it seems to the Board of Trade desirable to do so.

39. With

Regulations as to Tickets.

39. With respect to Tickets for such Trains, the following Provisions shall have effect:

(1.) The Company shall not be required to issue a Ticket to any Artisan, Mechanic, or daily Labourer for any such Train for a less Period than *One Week:*

(2.) On the Application of any Person for such a Ticket he shall be bound to give his Name and Address, and the Name and Address of his Employer:

(3.) Before the Issue of a Ticket to him the Company shall have a reasonable Time allowed for ascertaining by Inquiry whether he is an Artisan, Mechanic, or daily Labourer within the Meaning of this Act:

(4.) If any Person holding such a Ticket transfers or attempts to transfer the same to any other Person he shall be liable to a Penalty not exceeding *Five Shillings*, and his Ticket shall be forfeited:

(5.) Any Person using or attempting to use any Ticket so transferred shall be liable to a Penalty not exceeding *Five Shillings:*

(6.) The Company shall not be afterwards required to issue any such Ticket either to the original Holder of any such Ticket who has transferred or attempted to transfer the same, or to any Person using or attempting to use any such Ticket so transferred.

Compensation for Injury to such Passengers.

40. The Liability of the Company under any Claim to Compensation for Injury or otherwise in respect of each Passenger travelling with such a Ticket shall be limited to a Sum not exceeding *One hundred Pounds;* and the Amount and Distribution of Compensation payable in respect of any such Passenger shall be determined by an Arbitrator appointed by the Board of Trade, and not otherwise.

Savings.

Saving for Rights of Corporation of London and Commissioners of Sewers.

41. Except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated shall derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Mayor and Commonalty and Citizens of the City of London or of the Commissioners of Sewers of that City.

Saving for Rights of Metropolitan Board of Works, &c.

42. Except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated, shall take away, lessen, or prejudicially affect any Right, Power, or Authority of the Metropolitan Board of Works, or of any Vestry or District Board, and except as aforesaid all such Rights, Powers, and Authorities shall be as valid and effectual to all Intents as if the Special Act had not been passed.

Saving for Crown Estate Paving Commissioners.

43. The Company shall not take, use, or otherwise interfere with any Lands under the Charge and Management of the Commissioners for the Time being appointed by virtue of The Crown Estate Paving Act, 1851, without the previous Consent of those Commissioners, and, except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated shall divest or prejudice any of the Rights, Powers, or Privileges vested in or enjoyed by those Commissioners.

Saving for Battersea Park Commissioners.

44. The Company shall not take, use, or interfere with any Lands belonging to the Battersea Park Commissioners without the previous Consent of the First Commissioner for the Time being of Her Majesty's Works and Public Buildings, which Consent he is hereby authorized to give, on such Conditions as he thinks fit.

Saving for Operation of General Acts.

45. Nothing in the Special Act or in any Act therewith incorporated shall exempt the Railway within the Metropolis, or the Company, from the Provisions of any General Act in force at the passing of the Special Act or thereafter passed in the same or any subsequent Session of Parliament relative to Railways within the Metropolis, or to the Accommodation, Conveyance, Interchange, or Delivery of Traffic, on, between, or from such Railways, or to the Regulation or the conferring of Powers on any public Body or Authority for the Regulation of Traffic in, at, or near the terminal or other Stations of such Railways, and, except as in the Special Act expressly otherwise provided, the Railway and the Company shall be subject to the Provisions of every such General Act.

PART II.

Railways in General.

Dwellings of Labouring Classes.

Notice by Company as to Houses occupied by Labouring Classes.

46. The Company, not less than *Eight Weeks* before taking any House occupied either wholly or partially by Persons belonging to the Labouring Classes, as Tenants or Lodgers, shall make known their Intention to do so by Placard or other general Notice placed in public View on or within a reasonable Distance of such House, and they shall not take such House until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner required by this Enactment.

Lands.

Provision as to concurrent Powers of Purchase.

47. Where Two or more Railway Companies have concurrent Powers for the Purchase of Lands, no One of the Companies shall purchase

purchase any Part of those Lands until the Expiration of *Twenty-one Days* after Notice of the Intention to do so has been delivered to the other or others of the Companies; and if within those *Twenty-one Days* any of the Companies to whom Notice is delivered by a Counter-notice delivered to the Company giving the Notice objects to the Purchase by the Company giving the Notice, then neither the Company giving the Notice nor the Company objecting shall purchase any Part of the Lands referred to in the Notice until an Arbitrator appointed by the Board of Trade on the Application of either Party decides whether any, and if any, what Portion of such Lands may be purchased by each or either of them. The Arbitrator shall decide with a view to enabling both Companies to execute their Undertakings as authorized.

Completion of Railway.

Penalty for Non-completion of Railway.

48. Where by the Special Act an existing Railway Company possessed of a Railway open for public Traffic are authorized to construct a new Railway, or the Time for completing a previously authorized Railway is extended, then if the Company fail within the prescribed Period to complete the new or the previously authorized Railway (as the Case may be) and to open it for public Traffic, they shall be liable to a Penalty not exceeding *Fifty Pounds* for every Day after the Expiration of the prescribed Period until the Railway is completed and opened for public Traffic, such Sum to be recoverable as a Debt due to the Crown,—except only in respect of any Time during which it appears by a Certificate of the Board of Trade that the Company were prevented from completing or opening the Railway by unforeseen Accident or Circumstances beyond their Control, but the Want of sufficient Funds shall not be deemed a Circumstance beyond their Control within the Meaning of the present Section.

Rules respecting Tolls, &c.

Short Distance Charge.

49. For Passengers, Animals, or Goods conveyed on the Railway for a Distance less than that prescribed as the short Distance, and if none is prescribed, then for a Distance less than *Four Miles*, Charges shall be payable as for the short Distance prescribed, and if none is prescribed, then as for *Four Miles*.

Fraction of Mile; Passengers.

50. In respect of Passengers conveyed on the Railway, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile.

Fraction of Mile; Animals and Goods.

51. In respect of Animals and Goods conveyed on the Railway for a Fraction of a Mile beyond the short Distance prescribed, or if none

none is prescribed, then beyond *Four Miles*, or beyond any greater Number of Miles, Charges shall be payable in proportion to the Number of Quarters of a Mile contained in that Fraction, and a Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile.

Fraction of Ton.

52. In respect of Goods conveyed on the Railway, for a Fraction of a Ton Charges shall be payable according to the Number of Quarters of a Ton in that Fraction, and a Fraction of a Quarter of a Ton shall be deemed a Quarter of a Ton.

Passengers' Luggage.

53. Every Passenger conveyed on the Railway may, without Charge, cause to be carried in the same Train with him his ordinary Luggage, not exceeding the prescribed Weight, and if none is prescribed, then not exceeding the Weight of *One hundred and twenty Pounds* for a First-class Passenger, *One hundred Pounds* for a Second-class Passenger, and *Sixty Pounds* for a Third-class Passenger.

Special Trains.

54. Restrictions in the Special Act with respect to Charges for Passengers conveyed on the Railway shall not extend to Special Trains when required by Passengers, but shall apply only to the Ordinary or Express Passenger or Goods Trains appointed by the Company.

Determination of Weight.

55. The Weight of Goods conveyed on the Railway shall be determined according to Avoirdupois Weight, save that with respect to Stone and Timber, *Fourteen* Cubic Feet of Stone, and *Forty* Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and *Fifty* Cubic Feet of any other Timber, shall be deemed One Ton, and so in proportion for any smaller Quantity; but it shall be in the Option of either Party to have the Weight of Stone and Timber determined by Avoirdupois Weight.

Terminal Charges.

56. In addition to the Charges for Goods conveyed on the Railway specifically authorized by the Special Act, a reasonable Charge shall be payable for the loading, covering, and unloading of Goods at any Station on the Railway, being a Terminal Station in respect of such Goods, and for Delivery and Collection, and any other Services incidental to the Duty or Business of a Carrier where such Services or any of them are or is performed by the Company: A Station shall not be considered a Terminal Station in respect of any Goods unless they are received there direct from the Consignor or are ordered to be delivered there to the Consignee.

Small Packages.

57. The Term Small Packages, where used in the Special Act or in this Act, shall not include Articles sent in large aggregate Quantities,

Quantities, although made up of separate Parcels, (such as Bags of Sugar, Coffee, Meal, and the like,) but shall apply only to single Parcels in separate Packages.

Agreement for higher Charges as to Goods.

58. Nothing in this Act or in the Special Act, or any Act therewith incorporated, shall prevent the Company taking any Charge over and above the Charges by the Special Act limited for the Conveyance on the Railway of Goods of any Description, by Agreement with the Owners of or any Person in charge of such Goods, either by reason of the Conveyance thereof by Passenger Trains (except in case of Small Packages) or by reason of any other Special Service performed by the Company in relation thereto.

Company not bound to carry Manure, &c.

59. The Company shall not be bound, except by Agreement, to carry on their Railway any Nightsoil, Dung, Manure, Compost, or other offensive Matter.

Application of Money.

Interest not to be paid on Calls paid up.

60. It shall not be lawful for the Company, out of any Money by any Special Act relating to the Company authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital of the Company; but this Provision shall not prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is allowed by The Companies Clauses Consolidation Act, 1845, or The Companies Clauses Consolidation (Scotland) Act, 1845, (as the Case may be).

Deposits for Bills not to be paid out of Company's Capital.

61. It shall not be lawful for the Company, out of any Money by any Special Act authorized to be raised for the Purposes of any Special Act, to pay or deposit any Money by any Standing Order of either House of Parliament required to be paid or deposited in respect of any Application to Parliament for an Act to authorize the Company to construct any Railway or to execute any Work or Undertaking.

Savings and Restrictions.

Saving for Rights of Crown.

62. The Company shall not take, use, or interfere with any Lands or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty, Her Heirs or Successors, in right of the Crown, without the previous Consent of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her

Majesty, Her Heirs or Successors (which Consent those Commissioners respectively are hereby authorized to give); and as incidental to any such Consent the Company may enter into any Agreement with those Commissioners, or One of them, who respectively may, with the Approval of the Commissioners of Her Majesty's Treasury, join in every such Agreement; and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, with the like Approval, and the Company respectively, may execute all necessary or proper Conveyances, Leases, Licences, or other Deeds or Instruments of or relating to any Lands or Rights belonging to Her Majesty, Her Heirs or Successors, in right of the Crown; and every Agreement so entered into as aforesaid shall be performed by the same Commissioners and the Company respectively; and nothing in the Special Act, or in any Act therewith incorporated, shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority at the passing of the Special Act or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors in right of the Crown.

Saving for Rights of Duchy of Lancaster.

63. The Company shall not take, use, or interfere with any Lands or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty, Her Heirs or Successors, in right of the Duchy of Lancaster, without the previous Consent of the Chancellor of the Duchy for the Time being, which Consent he is hereby authorized to give on such Conditions as he thinks fit; and nothing in the Special Act, or in any Act therewith incorporated, shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority at the passing of the Special Act or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in right of the Duchy of Lancaster.

Saving for Lands held by Board of Trade.

64. The Company shall not take, use, or interfere with any Lands vested in or held by the Board of Trade, without the previous Consent of the Board of Trade, under the Hand of One of their Secretaries.

Saving for Lands, &c. of Commissioners of Works, &c.

65. The Company shall not take, use, or interfere with any Lands belonging to the Commissioners of Her Majesty's Works and Public Buildings without the previous Consent of the First Commissioner for the Time being of Her Majesty's Works and Public Buildings, which Consent he is hereby authorized to give, on such Conditions as he thinks fit.

66. The

Consent of Conservators for Works affecting Thames.

66. The Company shall not make any Work on any Part of the Shore or Bed of the River Thames within the Jurisdiction of the Conservators of the River Thames without the previous Consent of the Conservators under the Hand of their Secretary.

Works to be according to approved Plan.

67. The Company shall not embank, encroach on, or interfere with any Part of the Shore or Bed of the River Thames within the Jurisdiction of the Conservators of the River Thames, except according to Plans approved by the Conservators.

Material from River.

68. The Company shall not take any Gravel, Soil, or other Material from the Bed of the River Thames within the Jurisdiction of the Conservators of the River Thames without the previous Consent of the Conservators under the Hand of their Secretary.

Erection of public Stairs.

69. If the Company shut up, remove, or obstruct the Use of any Free Public Stairs or Landing Place within the Jurisdiction of the Conservators of the River Thames, they shall forthwith erect or provide in lieu thereof some equally convenient Free Public Stairs or Landing Place to the Satisfaction of the Conservators; and if the Company fail to execute any Work which by the present Section they are required to execute, the Conservators may do so, and may recover the Expense of doing so from the Company by Proceedings in any Court of competent Jurisdiction.

Saving for Rights of Conservators of Thames.

70. Except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated shall derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Conservators of the River Thames, or prohibit, defeat, diminish, or alter any Power, Authority, or Jurisdiction which at the passing of the Special Act, or at any Time thereafter, they lawfully claim, use, or exercise.

Saving for Operation of General Acts.

71. Nothing in the Special Act or in any Act therewith incorporated shall exempt the Railway or the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, in force at the passing of the Special Act or thereafter passed in the same or any subsequent Session of Parliament, or from any subsequent Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized to be taken in respect of the Railway or of the Rates for small Packages, and, except as in the Special Act expressly otherwise provided, the Railway and the Company shall be subject to the Provisions of every such General Act.

Railways Clauses.

A

BILL

For consolidating in One Act Provisions appplicable to Metropolitan and other Railways.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Monsell*).

Ordered, by The House of Commons, *to be Printed*, 9 *March* 1866.

[Bill 60.]

Under 4 *oz.*

Railways Clauses Bill.

[AS AMENDED IN COMMITTEE.]

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A

B I L L

[AS AMENDED IN COMMITTEE]

FOR

Consolidating in One Act Provisions applicable to Metropolitan and other Railways.

WHEREAS The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, were passed in order to comprise in General Acts Provisions relating to Railways in England or Ireland, or in Scotland, usually introduced into Acts authorizing the Construction of Railways : Preamble.

And whereas there are various Provisions applicable to Metropolitan and other Railways, not comprised in those General Acts, which it is expedient to comprise also in a General Act, and that as well for the Purpose of avoiding the Necessity of repeating such Provisions in Special Acts as for ensuring greater Uniformity in the Provisions themselves :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Preliminary Provisions.

1. This Act may be cited as The Railways Clauses Act, 1866. Short Title.

Division of Act into Parts.

2. This Act (except as respects the Preliminary Provisions) shall be deemed to be divided into Two Parts, as follows:

Part I.—relating to Metropolitan Railways:

Part II.—relating to Railways in General.

Application of Act.

3. This Act and each Part thereof (as the Case may be) shall apply to the Railway to which any Special Act incorporating this Act or either Part thereof relates; and in this Act the Terms "the Railway," "the Special Act," and "the Company," mean respectively every such Railway and such Special Act as aforesaid and the Railway Company incorporated or empowered by the Special Act, and the Term "prescribed" means prescribed by the Special Act.

Interpretation.

4. In this Act—

The Term "the Metropolis" has the same Meaning as in The Metropolis Management Act, 1855:

The Terms "Vestry" and "District Board" mean respectively a Vestry and a District Board constituted under or regulated by The Metropolis Management Act, 1855, and the Acts amending the same, and their Successors, for the Time being:

The Terms "Commissioners" and "Trustees" mean respectively the Commissioners or Trustees referred to, and their Successors, for the Time being:

The Term "the City of London" includes the Liberties thereof:

The Term "Street" means a Highway whether a Thoroughfare or not, and includes a Road (whether a Turnpike Road or not), Lane, Square, Court, Alley, Passage, and Mews, and includes any Ground by the Side of and forming Part of a Street, and the Surface, Pavement, Soil, and Subsoil of a Street, and the Footway of a Street, and any Bridge forming Part of a Street, and includes Drains and Gullies for keeping the Street dry, and being under the Control of the Street Authority:

The Term "Street Authority" means the Board, Vestry, District Board, Commissioners, Trustees, or other Body having the Control of the Street referred to:

The Term "Sewer" includes Drain, Pipe, Sink, Sluice, Penstock, Conduit, and Watercourse, and any Work in connection with or forming Part of or necessary to the Efficiency of or convenient in the Use of the same:

The Term "Work" used with reference to a Work of the Metropolitan Board of Works, or of a Vestry or District Board, or of Commissioners of Sewers, includes Sewer, Wear, Dam, Bank, and Defence, and means a Work made or executed by them or being within or under their Jurisdiction, Survey, Order, or Control, or executed for the Sewerage or Drainage of the District under their Control:

The

The Terms "deposited Plans" and "deposited Sections" mean respectively the Plans and the Sections deposited according to the Standing Orders of the Houses of Parliament for the Purposes of the Application for the Special Act:

The Term "Lands" includes Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Term "Court of competent Jurisdiction" shall have effect as if the Debt or Demand with respect to which the same is used were an ordinary Simple Contract Debt, and not a Debt or Demand created by Statute:

The Term "Two Justices" means Two or more Justices of the Peace having Jurisdiction in the Place where the Matter requiring the Cognizance of Justices arises, and assembled and acting together, and includes the Lord Mayor or an Alderman of the City of London, or any Police or Stipendiary Magistrate or other Justice of the Peace having by Law Authority to act alone for any Purpose with the Powers of Two Justices.

In the Special Act the Terms aforesaid shall have the same Meaning as in this Act, unless it is otherwise provided in the Special Act.

Recovery and Application of Penalties.

5. Penalties under this Act shall be recovered and applied as Penalties under The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, (as the Case may require) are recoverable and applicable.

Form and Delivery of Notices, Consents, &c.

6. With respect to Notices, Counter-notices, Approvals, Consents, and Directions, and to the Delivery thereof and of other Documents by or to the Company under this Act, the following Provisions shall have effect:—

(1.) Every Notice, Counter-notice, Approval, Consent, or Direction shall be in Writing or Print, or partly in Writing and partly in Print; and when given by the Metropolitan Board of Works, or by the Commissioners of Sewers of the City of London, shall be sufficiently authenticated by being signed by the Engineer or the Clerk of the Board or Commissioners, and when given by the Trustees of any Turnpike Road shall be sufficiently authenticated by being signed by any Three of them:

(2.) Any Notice to be delivered by the Company to the Metropolitan Board of Works, or to the Commissioners of Sewers of the City of London, or to any Vestry, District Board, Trustees, or other Body, may be delivered by being left at the Office of such Board, Commissioners, Vestry, District Board, Trustees, or other Body, or by being sent

by Post in a registered Letter addressed to their Clerk at their Office; and every such Letter shall be deemed to be delivered to such Board, Commissioners, Vestry, District Board, Trustees, or other Body on the Day on which the same ought to be delivered to their Clerk at their Office in the ordinary Course of Post:

(3.) Every such Notice delivered by the Company shall state the Special Act in pursuance of which it is delivered, and shall refer to the Provisions of the Special Act, or of any Act incorporated therewith, which relate to the Subject Matter of the Notice:

(4.) Every Plan, Section, or Elevation delivered by the Company to the Metropolitan Board of Works, or to the Commissioners of Sewers of the City of London, with reference to any Work respecting which the Consent, Approval, or Direction of the Board or Commissioners is required, shall be produced to the Board or Commissioners in Duplicate; and One of the Copies shall be retained by the Board or Commissioners; and the Board or Commissioners shall be entitled to receive from the Company another Copy of the Plan, Section, or Elevation on their paying to the Company a reasonable Price for the same:

(5.) Any Notice, Counter-notice, Approval, Consent, or Direction to be given or delivered to the Company by the Metropolitan Board of Works, or by the Commissioners of Sewers of the City of London, or by any Vestry, District Board, Trustees, or other Body or Authority, or by any Company, may be given or delivered in manner provided by Section One hundred and thirty-five of The Companies Clauses Consolidation Act, 1845, or by Section One hundred and thirty-seven of The Companies Clauses Consolidation (Scotland) Act, 1845, (as the Case may require).

PART I.

Metropolitan Railways.

Construction of Acts.

Deposit of Plans, &c. with Vestry Clerk, &c.

7. In the Construction, in connexion with the Special Act, of The Railways Clauses Consolidation Act, 1845, the Terms "Parish Clerks of the several Parishes," "Parish Clerks," and "Clerks of the several Parishes," used in the last-mentioned Act, shall, as regards those Parishes or Extra-parochial Places in which by the Standing Orders of either House of Parliament for the Time being in force Plans, Sections, and other Documents are required to be deposited with the Clerk of the Vestry of the Parish, or with the

the Clerk of the District Board of Works for the District in which the Parish or Extra-parochial Place is included, mean, in the First Case, the Vestry Clerks of those Parishes, and, in the Second Case, the Clerks of those District Boards.

In Westminster and Southwark, High Bailiff substituted for Sheriff.

8. With respect to any Railway or Work authorized by the Special Act within the City and Liberty of Westminster or the Borough of Southwark, the Term "Sheriff" used in the Special Act or in any Act incorporated therewith shall, for the Purposes of the Special Act, mean the High Bailiff of Westminster or of Southwark (as the Case may be) in all Cases where the respective High Bailiff discharges the Duties and Offices usually discharged by the Sheriff.

Compensation.

Disputed Compensation as to Lands in City of London.

9. Where under the Special Act any Question of disputed Compensation relating to Lands in the City of London is to be determined by the Verdict of a Jury, the Jury shall be required to appear before the Court of the Mayor and Aldermen of the said City to be holden in the Outer Chamber of the Guildhall of the said City, according to the Custom of the said City, at a Time to be appointed by the said Court; and all the Provisions of The Lands Clauses Consolidation Act, 1845, with respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under the Special Act by a Jury appearing before the said Court; and the said Court shall give Judgment for the Purchase Money or Compensation assessed by the Jury; and a Verdict and Judgment shall be signed by the Registrar of the said Court, and shall be entered among the Records of the said Court; and the said Registrar shall settle the Costs of the Inquiry.

Compensation to Tenants from Year to Year, &c. in Metropolis.

10. Every Claim for Compensation made on the Company under Section Sixty-eight of The Lands Clauses Consolidation Act, 1845, and Section Six of The Railways Clauses Consolidation Act, 1845, or either of them, or under any Special Act incorporating those Sections or either of them, in respect of Lands in the Metropolis, shall, if the Claimant has no greater Interest in the Lands than as Tenant for a Year, or from Year to Year, be determined in manner provided by Section One hundred and twenty-one of The Lands Clauses Consolidation Act, 1845.

Works affecting Sewers, &c.

Power to deviate fro Levels for avoiding Sewers, &c.

11. In the Construction of the Railway within the Metropolis the Company may deviate from the Levels and Gradients indicated

cated on the deposited Sections to the Extent found necessary or convenient for avoiding or accommodating Sewers or improving the Sewerage or Drainage or Works in or under any Street through which the Railway passes, and may alter the Inclination of the Railway accordingly, notwithstanding anything in The Railways Clauses Consolidation Act, 1845, subject to these Two Restrictions, that is to say,—first, that no such Deviation be made without the Consent of the following Authority, namely, as to the City of London, except with respect to the Main Drainage Works, of the Commissioners of Sewers, and as to the rest of the Metropolis, and with respect to the Main Drainage Works in the City of London, of the Metropolitan Board of Works; and, secondly, that the Level or Inclination of the Surface of any Street be not thereby affected, except with the Consent, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works.

Protection of Sewers, &c. of Metropolitan and other Boards.

12. Where any Work authorized by the Special Act will or may pass or be over, under, or by the Side of, or will or may prejudicially affect, any Work of the Metropolitan Board of Works, or of any Vestry or District Board, or of the Commissioners of Sewers of the City of London, then and in every such Case the following Provisions shall have effect:—

(1.) The Company shall not commence that Work until the Expiration of Twenty-one Days after they have delivered to the Metropolitan Board, Vestry, District Board, or Commissioners concerned Notice of their Intention to do so:

(2.) The Company shall, at their own Expense and Risk, provide such new, altered, diverted, re-constructed, or substituted Works, as the Board, Vestry, District Board, or Commissioners concerned reasonably require for Protection of their own Work, and under the Superintendence and to the reasonable Satisfaction of the Engineer of the Board, Vestry, District Board, or Commissioners:

(3.) When any such new, altered, diverted, re-constructed, or substituted Work, or any Work connected therewith, is completed, the same shall thenceforth be deemed to be a Work of the Board, Vestry, District Board, or Commissioners concerned, within the Meaning of this Act, and for all Purposes.

Bridges.

Bridges over Streets in Metropolitan District.

13. Where the Railway is carried over any Street within the Metropolis, the following Provisions shall have effect:—

(1.) The Railway shall there be made and always maintained in such

such Manner as not to lessen the clear Width of the Carriageway and Footway of the Street as existing at the Time of the making of the Railway:

(2.) The Arch or Opening of any Bridge there shall have a Headway of a Height not less than the prescribed Height, and if the Height of the Headway is not prescribed, then the Height thereof shall not be less than Eighteen Feet for the whole Width of the Carriageway, except with the Consent, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works:

(3.) Every such Bridge shall be made and kept ornamental, to the reasonable Satisfaction, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works, regard being had to the Character, Situation, and Neighbourhood of the Bridge:

(4.) Any Abutment or Pier of any such Bridge shall not project beyond the general Line of Frontage of the Buildings in the Street, save that where there are Gardens or Forecourts in front of Houses, or the Distance between the Buildings is great, the Company, with the Approval, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works, may erect and maintain Side Openings supported with Columns or otherwise back to the general Line of Frontage of the Buildings, or divide the Distance into Two or more Spans, with suitable intermediate Supports:

(5.) If the Width of the Street, as existing at the Time of the making of the Railway, is not clearly defined, or the Railway crosses it at a Point where the Street is exceptionally wide or narrow, as compared with its average Width, the Span of every such Bridge shall be determined, as to the City of London, by the Commissioners of Sewers, and as to the rest of the Metropolis, by the Metropolitan Board of Works:

(6.) Where, at the Time of the making of the Railway, the Street is in progress or incomplete as regards the Erection of Houses or Buildings on the Sides thereof, the Span and the Position in the Line of the Railway of the Abutments or Piers of every such Bridge shall be determined, as to the City of London, by the Commissioners of Sewers, and as to the rest of the Metropolis, by the Metropolitan Board of Works:

(7.) The extreme Width of any such Bridge, measured along the Line of the Street, shall not be greater than the prescribed Width, and if no Width is prescribed, then the same shall not be greater than Thirty-five Feet measured at Right Angles to the Line of the Railway, except with the Consent, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works :

(8.) Every such Bridge shall be made and kept watertight, that is to say, shall be so constructed and maintained as to prevent, as far as practicable, Rain or other Water dripping or otherwise passing through it :

(9.) Every such Bridge shall be so constructed and maintained as to deaden as far as practicable the Sound of Traffic passing over it :

(10.) The Company shall not commence the Erection of any such Bridge until the Expiration of Twenty-one Days after they have delivered Notice of their Intention to do so, as to the City of London, to the Commissioners of Sewers, and as to the rest of the Metropolis, to the Metropolitan Board of Works.

Cuttings, &c.

Cuttings, &c. affecting Streets in Metropolis.

14. Where the Railway is carried by means of a Cutting or otherwise under any Street within the Metropolis, the following Provisions shall have effect :—

(1.) If the Railway interferes with or alters the Level or Inclination of the Street it shall there be made and maintained in such Manner that the Inclination of the Street be not more than the prescribed Rate, and if none is prescribed then not more than One Foot in Forty Feet, except with the Consent, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works :

(2.) Every Bridge constructed by the Company for carrying the Street over the Railway shall be so constructed as not to lessen the Width of the Street, as existing at the Time of the Construction of the Bridge :

(3.) Every such Bridge shall be always so covered as to prevent as far as practicable the Escape of Steam, Smoke, or other offensive Thing into the Street :

(4.) The Parapet of every such Bridge shall be continued along the Line of the Railway, beyond the Abutments of the Bridge, for a sufficient Length and of sufficient Height to conceal

conceal Trains on the Railway from Passengers in the Street:

(5.) Every such Bridge shall be so constructed and maintained as to deaden as far as practicable the Sound of Traffic passing under it:

(6.) The Company shall not commence the Construction of any such Bridge until the Expiration of Twenty-one Days after they have delivered Notice of their Intention to do so, as to the City of London, to the Commissioners of Sewers, and as to the rest of the Metropolis, to the Metropolitan Board of Works.

Works before mentioned in General.

Regulations where Notice given to Metropolitan Board of Works, &c.

15. Where under the foregoing Provisions the Company deliver to the Metropolitan Board of Works or any Vestry, District Board, or Commissioners, a Notice of their Intention to commence any Work, the following Provisions shall have effect:

(1.) The Company shall deliver with the Notice, a Plan and Section of the Work, and in case of a Bridge, an Elevation of the Bridge, and a published Map, on a Scale of not less than Six Inches to a Mile, showing the Situation of the Bridge:

(2.) The Company shall not commence the Work until the Board, Vestry, District Board, or Commissioners concerned give their Approval thereof, unless they fail to give their Approval or Disapproval thereof, or to give any Direction respecting the same, within Twenty-one Days after the Delivery of such Notice, with the Plan and Section, and with the Elevation in case of a Bridge:

(3.) In the Execution of the Work the Company shall comply with the reasonable Directions of the Board, Vestry, District Board, or Commissioners concerned:

(4.) The Work shall be executed under the Superintendence of the Engineer or Surveyor of the Board, Vestry, District Board, or Commissioners concerned.

Works affecting Streets.

Protection of Streets in Metropolis.

16. Notwithstanding anything in The Railways Clauses Consolidation Act, 1845, the following Provisions shall have effect in relation to Streets within the Metropolis:—

(1.) The Company shall not break up any Part of a Street until after the Expiration of Twenty-one Days from the Delivery by them to the Street Authority of a Notice specifying the Portion of the Street (not exceeding Five hundred Yards run) intended to be broken up, and the Time at which the Work will be commenced,—except in case of Emergency,

gency, in which Case the Company shall deliver to the Street Authority a Notice specifying the Portion of the Street interfered with as soon as possible after they commence to break up the same:

(2.) The Company shall not, except with the previous Consent in each Instance of the Street Authority, break up more than Five hundred Yards in Length of a Street at One Time:

(3.) The Company shall not break up a Street except under the Superintendence of the Surveyor of the Street Authority, unless he refuses or fails to give such Superintendence, and in the Execution of the Work the Company shall comply with the reasonable Directions of such Surveyor:

(4.) The Company shall make, and during the Execution of the Works affecting the Street maintain, to the reasonable Satisfaction of such Surveyor, all temporary Footways, Works, and Conveniences necessary or proper for safe and commodious Ingress and Egress to and from Houses in and near the Line of their Works, and for Preservation of an uninterrupted Supply of Water and Gas to the Street and to those Houses:

(5.) The Company shall not deposit any Subsoil or Rubbish excavated, or any Materials of the Street broken up, except at such Place and in such Manner as such Surveyor approves:

(6.) The Company shall, at their own Expense, while the Street is broken up, cause it to be properly fenced and guarded, and proper Light and Watch for the Warning of Passengers to be set up and kept there by Night to the reasonable Satisfaction of such Surveyor; and the Company shall as between themselves and the Street Authority, be answerable for all Accidents and Damage happening by reason or in consequence of the Works of the Company:

(7.) Such Surveyor shall at all Times during the Execution or Repair of the Company's Works affecting the Street have free Access to those Works:

(8.) The Company shall, to the reasonable Satisfaction of such Surveyor, provide new, altered, diverted, or substituted Drains and Gullies in the Street necessary or proper in consequence of the Company's Works:

(9.) The Company shall within the prescribed Time, and if none is prescribed then within Six Months after breaking up any Part of the Street, complete their Works affecting that Part thereof, and fill in the Ground, and except where the Surface is by the Special Act authorized to be permanently interfered with, make good and restore the same to

to the reasonable Satisfaction of such Surveyor, and remove all Rubbish occasioned by their Works:

(10.) Nevertheless, it shall be in the Option of the Street Authority to make good and restore the Paving, Macadamization, or other Surface Work, and remove the Rubbish, instead of permitting the same to be done by the Company; and the Expenses of their so doing shall be paid to them by the Company on Demand, or on default may be recovered by them from the Company by Proceedings in any Court of competent Jurisdiction:

(11.) The Company shall defray the Expense incurred by the Street Authority in maintaining and keeping in repair the Street for Twelve Months next after the same has been made good and restored as aforesaid, and in Default of Payment thereof the Street Authority may recover the same from the Company by Proceedings in any Court of competent Jurisdiction:

(12.) If the Company fail to comply in any respect with the Provisions of the present Section, they shall forfeit and pay to the Street Authority a Sum not exceeding Twenty Pounds for every such Default, and a further Sum not exceeding Five Pounds for every Twenty-four Hours during which any such Default continues after Notice thereof delivered to them by the Street Authority; and every such Sum may be recovered by Proceedings in any Court of competent Jurisdiction:

(13.) If after breaking up the Street the Company fail to execute any Work required by the present Section, the Street Authority may do so, and the Expense of doing so shall be repaid to them by the Company on Demand, or on Default may be recovered from the Company by Proceedings in any Court of competent Jurisdiction.

Deposit of Materials on Streets, &c.

17. The Company shall not permit any Materials, Rubbish, or other Thing to be laid, shot, or placed by any of their Contractors, Agents, Servants, or Workmen on any Street within the Metropolis, except as far as is necessary for any of the Company's Works, and so as not to obstruct the passing of Carriages, or to interfere with the Footway on one Side of the Street while the Footway on the other Side thereof is obstructed by the Company, except with the previous Consent in each Instance of the Street Authority.

If the Company fail to comply in any respect with the Provisions of the present Section they shall forfeit and pay to the Street Authority a Sum not exceeding Five Pounds for every such

Default, and a further Sum not exceeding One Pound for every Twenty-four Hours during which any such Default continues after Notice thereof delivered to them by the Street Authority, every such Sum to be recovered by Proceedings in any Court of competent Jurisdiction.

Restrictions on Company impeding Traffic.

18. The Company shall not impede Traffic in, into, or out of any Street within the Metropolis for a longer Time than, as to the City of London, the Commissioners of Sewers, and as to the rest of the Metropolis, the Metropolitan Board of Works, consider reasonably necessary for the proper Execution of the Company's Works.

Payment for Stones and Materials.

19. Where any Street within the Metropolis is about to be permanently stopped up by the Company, under the Authority of the Special Act, the Company shall pay to the Street Authority the Value of such Paving Stones and other Materials and Things in the Street as are the Property of or vested in the Street Authority before the Company remove or interfere with the same, or the Value thereof may be recovered by the Street Authority from the Company by Proceedings in any Court of competent Jurisdiction.

Lighting of Arches.

Power for Metropolitan Board, &c. to light Arches over Streets.

20. Where any Arch over a Street within the Metropolis will, in the Opinion of the Metropolitan Board of Works, or, if it is within the City of London, of the City Commissioners of Sewers, cause public Inconvenience by obstructing the Light in the Street, the Metropolitan Board of Works or the City Commissioners of Sewers, as the Case requires, may set up and fix thereon or therein or near thereto, and keep lighted with Gas by Day and by Night, a Lamp or Lamps for affording proper Light and Security to Passengers; and the Expenses thereof and necessarily consequent thereon shall be borne and paid by the Company, and may be recovered by Proceedings in any Court of competent Jurisdiction.

Inclosures.

Hoardings or Walls to be provided by Company.

21. Where by reason of any Work of the Company any Ground is thrown open to any Street within the Metropolis, the Company shall, if required by Notice delivered to them, as to the City of London by the Commissioners of Sewers, and as to the rest of the Metropolis by the Vestry or District Board within whose District the Ground is situate, within Twenty-one Days after Delivery of such Notice, inclose the Ground in a Line with the Houses in the Street with good close Hoarding or Brick Wall not less in Height than the prescribed Height, and if none is prescribed, then not less than

than Seven Feet in Height, and the Company shall for ever thereafter, by means of such a Hoarding or Wall, or by some Building or other fit Means, prevent the Ground from being open to the Street.

If the Company fail to execute or maintain any Work which by the present Section they are required to execute and maintain, the Commissioners, Vestry, or District Board concerned may do so, and may recover the Expense of doing so from the Company, by Proceedings in any Court of competent Jurisdiction.

Inclosure of Arches.

22. Where any Arch under a Railway within the Metropolis, not being over Water or a Street, is yet open to the Public, the Company shall, if required by the Metropolitan Board of Works, or, in case the Arch is within the City of London, by the Commissioners of Sewers, inclose or fence in the Arch so as to prevent it being or occasioning, by reason of its being open to the Public, any Nuisance or Detriment to the Inhabitants of the Neighbourhood, and keep it so inclosed or fenced in.

If the Company fail to execute or maintain any Work which by the present Section they are required to execute and maintain, the Metropolitan Board of Works, or the Commissioners of Sewers, as the Case requires, may do so, and may recover the Expense of doing so from the Company by Proceedings in any Court of competent Jurisdiction.

Inclosures of Arches not used for Railway Purposes to be of incombustible Materials.

23. Where any Arch under a Railway within the Metropolis is inclosed and is used by the Company, or by any Person claiming under the Company, for any Purpose other than Railway Purposes, the Company shall cause the Inclosure thereof to be made and maintained of incombustible Materials, to the Satisfaction, in case the Arch is within the City of London, of the Commissioners of Sewers, and in other Cases of the District Surveyor under any Act relating to Metropolitan Buildings.

If the Company fail to comply with the Provisions of the present Section, they shall forfeit and pay to the Commissioners of Sewers or the Metropolitan Board of Works (as the Case may be) a Sum not exceeding Twenty Pounds for every such Default, and a further Sum not exceeding Ten Shillings for every Twenty-four Hours during which such Default continues after Notice thereof delivered to them by or on behalf of the Commissioners of Sewers or by the District Surveyor, as the Case may be, every such Sum to be recovered by Proceedings in any Court of competent Jurisdiction.

Works affecting Water and Gas.

Superintendence of Water and Gas Companies.

24. All Works and Things which under The Railways Clauses Consolidation Act, 1845, or the Special Act, the Company are empowered

empowered or required to execute or do with reference to the Mains, Pipes, Syphons, Plugs, or other Works within the Metropolis of any Water or Gas Company, shall be executed or done by and at the Cost of the Railway Company, but to the reasonable Satisfaction of the Engineer of the Water or Gas Company.

Interruption of Supply of Water or Gas.

25. If any Interruption in the Supply of Water or Gas by any Water or Gas Company is in any way occasioned within the Metropolis by the Railway Company, or by their Contractors, Agents, Servants, or Workmen, or any Persons in the Employment of them or any of them, the Railway Company shall forfeit and pay to the Water or Gas Company a Sum not exceeding Ten Pounds for every Hour during which such Interruption continues, to be recovered by Proceedings in any Court of competent Jurisdiction.

Power to Water and Gas Company to enter and repair Pipes, &c.

26. Any Water or Gas Company, their Officers, Servants, and Workmen may from Time to Time, as Occasion requires, enter on the Railway and Works and the Lands of the Railway Company within the Metropolis at any Place where for the Time being there are Mains, Pipes, Syphons, Plugs, or other Works of the Water or Gas Company, in order to execute and do, and accordingly may execute and do, all such Works and Things in and on the Railway and Works and the Lands of the Railway Company as are necessary or proper for the repairing, maintaining, removing, or replacing of any such Mains, Pipes, Syphons, Plugs, or other Works in, under, or over the Railway and Works and the Lands of the Railway Company, not interrupting the Traffic on the Railway, doing as little Damage as may be, and making reasonable Compensation to the Railway Company for all such Damage.

Provision for larger Mains.

27. Where the Construction of the Railway or the Execution of any Work connected therewith within the Metropolis interferes with the Mains of any Water or Gas Company, the Railway Company shall at the Time of such Construction or Execution, on the Request of the Water or Gas Company, make Provision, as far as practicable, for allowing those Mains to be from Time to Time afterwards replaced by others of a larger Size.

Repairs of Pipes, &c. to be borne by Company in certain Cases.

28. The Expense of all Repairs and Renewals of any such Mains, Pipes, Syphons, Plugs, or other Works within the Metropolis, at any Time made necessary by the Acts or Defaults of the Railway Company, or of their Contractors, Agents, Servants, or Workmen, or any Persons in the Employment of them or any of them, shall be borne and paid by the Railway Company, and may be recovered by Proceedings in any Court of competent Jurisdiction.

Works affecting Telegraphs, &c.

Protection of Telegraphic Apparatus, &c.

29. The Company in executing Works within the Metropolis shall interfere as little as may be with any Tube or Apparatus placed for the Purpose of Telegraphic Communication or belonging to the Pneumatic Despatch Company (Limited); and before executing any Work that might interrupt or obstruct the working of the same the Railway Company shall, to the reasonable Satisfaction of the Company or Person to whom such Tube or Apparatus for the Purpose of Telegraphic Communication belongs, or of the Pneumatic Despatch Company (Limited), as the Case may be, make Provision necessary or proper for preventing Interruption of or Obstruction to the Use or working of such Tube or Apparatus, and shall make reasonable Compensation for any Damage or Loss caused to such Tube or Apparatus or to the Company or Person to whom it belongs, such Compensation to be recovered by Proceedings in any Court of competent Jurisdiction.

Openings for Light and Air.

Power to Company to make Opening in Carriageway.

30. The Company, with the Approval, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis of the Metropolitan Board of Works, may make Openings in the Carriageway of any Street within the Metropolis, for the Purpose of affording Light and Air to the Railway and Works (where underground) during the Progress thereof and after their Completion, subject to the following Restrictions:

(1.) The Position of every such Opening shall be such as the Commissioners or Metropolitan Board of Works prescribe:

(2.) Every such Opening shall be inclosed by an Erection of an ornamental Character, according to a Design approved by the Commissioners or Metropolitan Board of Works:

(3.) No such Erection shall occupy more than a Four-sided Space Five Feet long on each Side:

(4.) No such Opening shall be used for the carrying of Earth, Spoil, or other Things from the Railway or Works, or for the raising or lowering of Workpeople, or of Tools, Tackle, Scaffolding, or other Things, or for any Purpose other than that of affording Light and Air as aforesaid.

Maintenance of Works.

Company to maintain Works in Streets, &c.

31. The Company shall, at their own Expense, maintain and keep in repair all Bridges and other Works constructed under the Authority of the Special Act in, over, under, abutting on, or adjoining to any Street within the Metropolis, the Expense of the Maintenance and Repair whereof is not otherwise provided for by the Special Act, or any Act therewith incorporated.

If the Company fail so to do with respect to any Bridge or other Work, the Commissioners of Sewers, in case the Bridge or other Work is within the City of London, and in other Cases the Metropolitan Board of Works, may from Time to Time put the Bridge or other Work into a proper State of Repair, and may recover the Expenses of so doing from the Company by Proceedings in any Court of competent Jurisdiction.

New Streets.

Works connected with new Streets.

32. Where the Company are authorized to make within the Metropolis any new Street, then, subject to the Provisions of the Special Act and this Act and in accordance with the deposited Plans, or within the Limits thereon defined, the Company may in connexion with the new Street, and as Part of the Works by the Special Act authorized, and for the Purposes thereof, make Junctions and Communications with any existing Streets interfered with by or contiguous to the new Street, and make Diversions, Widenings, or Alterations of Lines or Levels of any existing Streets, for the Purpose of connecting the same with the new Street, and remove, destroy, alter, divert, stop up, inclose, use, or appropriate all or any Part of any Street, or of any Sewer, or void Ground within the Limits of lateral Deviation defined on the deposited Plans, providing a proper Substitute before interrupting the Flow of Sewage in any Sewer.

Power to deviate from Levels, &c. of new Streets.

33. In making the new Street the Company may, subject to the Provisions of this Act, deviate to any Extent not exceeding Two Feet, or with the Consent, as to the City of London, of the Commissioners of Sewers, and as to the rest of the Metropolis, of the Metropolitan Board of Works, to any Extent not exceeding Five Feet from the Levels defined on the deposited Sections, and may, subject as aforesaid, deviate from the Lines of the new Street within the Limits of Deviation defined on the deposited Plans; but the Company shall not deviate beyond the last-mentioned Limits without the Consent of the Person through whose Lands any such Deviation is made, nor without the Consent of the same Commissioners or Board, as the Case requires.

New Streets to be under Care of Local Authorities.

34. When the Roadway and Footway of the new Street are completed and paved, with all proper Surface Drains and Channels (of which a Certificate under the Hands of Two Justices shall be for all Purposes conclusive Evidence), they may be used by the Public; and thenceforth the Roadway and Footway of the new Street, with the sole Power, Authority, and Duty of paving, repairing, cleansing, and lighting the same, and for those Purposes of rating Hereditaments within the same, shall be under the like Care, Management, Control, and Jurisdiction as the Road-

way

way and Footway of the public Streets within the several Parishes or Places in which the new Street is made.

Elevations of Houses to be approved by Metropolitan Board of Works.

35. The Houses, Erections, and Buildings fronting to any new Street shall be constructed on such Elevations as, with respect to the City of London, the Commissioners of Sewers, and with respect to the rest of the Metropolis, the Metropolitan Board of Works, before the Erection thereof, approve; and any House, Erection, or Building fronting to the new Street, acquired by the Company but not removed or rebuilt by them, shall be so altered by the Company as, with respect to the City of London, the Commissioners of Sewers, and with respect to the rest of the Metropolis, the Metropolitan Board of Works require or approve for the Purpose of making the Elevations of all Houses, Erections, or Buildings fronting to the new Street uniform or as nearly so as may be.

Expenses of Superintendence, &c.

Company to pay Expenses of Metropolitan Board, &c.

36. All reasonable Expenses to which the Metropolitan Board of Works, or any Vestry, District Board, Commissioners, Trustees, or other Body are put, by reason of any Interference or Control exercised by them by virtue of the Special Act or this Act in relation to any of the Company's Works (in respect of Examination or Preparation of Plans, Sections, or Elevations, or in respect of Superintendence or on any other account) shall be borne by the Company and shall be paid to them by the Board, Vestry, District Board, Commissioners, Trustees, or other Body concerned, or may be recovered by Proceedings in any Court of competent Jurisdiction.

Arbitration.

Differences between Company and Metropolitan Board, &c.

37. If any Difference arises between the Company on the one Side, and the Metropolitan Board of Works, or any Vestry, District Board, Commissioners, Trustees, or other Body, or any Water or Gas Company, or any Company or Person to whom any Tube or Apparatus for the Purpose of Telegraphic Communication belongs, or the Pneumatic Despatch Company (Limited), or any other Company on the other Side,—with respect to any Interference or Control exercised or claimed to be exercised by them or him or on their or his Behalf, by virtue of the Special Act or this Act in relation to any of the Company's Works,—or with respect to any Notice, Counter-notice, Approval, Consent, Direction, Map, Plan, Section, or Elevation, or the Necessity or Propriety of or the Mode of Execution of any Work,—or with respect to the Amount of the Compensation to be made by any Water or Gas Company to the Railway Company, —or on the Question whether any Map, Plan, Section, Elevation, or Work is such as ought reasonably to satisfy the Board, Vestry,

District Board, Commissioners, Trustees, Body, Company, or Person concerned,—or with respect to any other Subject or Thing regulated by or comprised in this Act,—then and in every such Case the Matter in difference shall be settled by an Engineer or other fit Person nominated as Referee by the Board of Trade on the Application of either Party, and the Expenses of the Reference shall be borne and paid as the Referee directs.

Superfluous Lands.

Building Leases, &c. of superfluous Lands.

38. Where the Company hold any superfluous Lands within the Metropolis, they may at any Time and from Time to Time grant Leases or otherwise dispose thereof for Building or other Purposes, for such Terms of Years or other Interests, at or for such Rents or other Considerations, and subject to such Covenants, Conditions, and Stipulations, or on such other Terms as they deem expedient with reference to the Circumstances of each Case.

Apportionment of Rent, &c. on Severance of Reversion.

39. Whenever by vesting in various Owners or otherwise, the Reversion on any such Lease is severed, any Rent reserved thereon may be apportioned by Agreement between the Owners; and if such Apportionment is not so settled by Agreement, the same shall be settled by an Arbitrator appointed by the Board of Trade; and after any such Apportionment, the Owner of each Part of the Reversion shall, in respect of the apportioned Rent allotted or belonging to him, have the Benefit of all Conditions or Powers of Re-entry for Non-payment of the original Rent, in like manner as if such Conditions or Powers had been reserved to him as incident to his Part of the Reversion, in respect of the apportioned Rent allotted or belonging to him.

Local Rates.

Local Rates to be made good.

40. If and while the Company are possessed under the Special Act of any Lands within the Metropolis assessed or assessable to any Sewers Rate, Consolidated Rate, Poor Rate, Police Rate, Main Drainage Rate, Church Rate, Tithe Rate, or other Parochial or Ward Rate, they shall from Time to Time, until the Railway is completed and assessable for such Rates, be liable to make good the Deficiency in the Assessment for such Rates by reason of those Lands being taken or used for the Purposes of the Railway or Works; and the Deficiency shall be computed according to the Rental at which those Lands, with any Buildings thereon, were rated at the Time of the passing of the Special Act.

Trains for Artisans, &c.

Company to run Morning and

41. Where the Company has a Terminus or other Station within the Metropolis, the Company shall run a Train every Morning (Sunday,

(Sunday, Christmas Day, and Good Friday excepted) from and to the prescribed Stations, and if none are prescribed, then from and to the Stations from Time to Time appointed by the Board of Trade, calling at all intermediate Stations, and a Train every Evening (Sunday, Christmas Day, and Good Friday excepted) from and to the prescribed Stations, and if none are prescribed, then from and to the Stations from Time to Time appointed by the Board of Trade, calling at all intermediate Stations, at the Hours (not being in the Morning later than Seven o'Clock or in the Evening earlier than Six o'Clock) most convenient to Artisans, Mechanics, and daily Labourers (Male and Female) residing near the Line of the Railway, and having Business daily within the Metropolis, at Prices not exceeding One Penny for each Passenger for each Journey (in addition to any Duty payable to Her Majesty), subject to the following Provisions: Evening cheap Trains.

(1.) In case any Complaint is made to the Board of Trade of the Hours appointed by the Company for such Trains, the Board of Trade may, if they think it expedient, regulate the same from Time to Time:

(2.) If in any continuous Period of Six Months it is found that less than One hundred of such Passengers have been conveyed by each of such Trains, the Company, on Proof of that Fact to the Satisfaction of the Board of Trade, may discontinue the running of such Trains, but the Board of Trade may at any Time order the Resumption thereof by the Company, if it seems to the Board of Trade desirable to do so.

42. With respect to Tickets for such Trains, the following Provisions shall have effect: Regulations as to Tickets.

(1.) The Company shall not be required to issue a Ticket to any Artisan, Mechanic, or daily Labourer for any such Train for a less Period than One Week:

(2.) On the Application of any Person for such a Ticket he shall be bound to give his Name and Address, and the Name and Address of his Employer:

(3.) Before the Issue of a Ticket to him the Company shall have a reasonable Time allowed for ascertaining by Inquiry whether he is an Artisan, Mechanic, or daily Labourer within the Meaning of this Act:

(4.) If any Person holding such a Ticket transfers or attempts to transfer the same to any other Person he shall be liable to a Penalty not exceeding Five Shillings, and his Ticket shall be forfeited:

(5.) Any Person using or attempting to use any Ticket so transferred shall be liable to a Penalty not exceeding Five Shillings:

(6.) The Company shall not be afterwards required to issue any such Ticket either to the original Holder of any such Ticket who has transferred or attempted to transfer the same, or to any Person using or attempting to use any such Ticket so transferred.

Compensation for Injury, &c. to such Passengers.

43. The Liability of the Company under any Claim to Compensation for Injury or otherwise in respect of each Passenger travelling with such a Ticket shall be limited to a Sum not exceeding One hundred Pounds; and the Amount and Distribution of Compensation payable in respect of any such Passenger shall be determined by an Arbitrator appointed by the Board of Trade, and not otherwise.

Savings.

Saving for Rights of Corporation of London and Commissioners of Sewers.

44. Except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated shall derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Mayor and Commonalty and Citizens of the City of London or of the Commissioners of Sewers of that City.

Saving for Rights of Metropolitan Board of Works, &c.

45. Except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated shall take away, lessen, or prejudicially affect any Right, Power, or Authority of the Metropolitan Board of Works, or of any Vestry or District Board, and except as aforesaid all such Rights, Powers, and Authorities shall be as valid and effectual to all Intents as if the Special Act had not been passed.

Saving for Crown Estate Paving Commissioners.

46. The Company shall not take, use, or otherwise interfere with any Lands under the Charge and Management of the Commissioners for the Time being appointed by virtue of The Crown Estate Paving Act, 1851, without the previous Consent of those Commissioners, and, except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated shall divest or prejudice any of the Rights, Powers, or Privileges vested in or enjoyed by those Commissioners.

Saving for Battersea Park Commissioners.

47. The Company shall not take, use, or interfere with any Lands belonging to the Battersea Park Commissioners without the previous Consent of the First Commissioner for the Time being of Her Majesty's Works and Public Buildings, which Consent he is hereby authorized to give, on such Conditions as he thinks fit.

48. Nothing

Saving for Operation of General Acts.

48. Nothing in the Special Act or in any Act therewith incorporated shall exempt the Railway within the Metropolis, or the Company, from the Provisions of any General Act in force at the passing of the Special Act or thereafter passed in the same or any subsequent Session of Parliament relative to Railways within the Metropolis, or to the Accommodation, Conveyance, Interchange, or Delivery of Traffic, on, between, or from such Railways, or to the Regulation or the conferring of Powers on any public Body or Authority for the Regulation of Traffic in, at, or near the terminal or other Stations of such Railways, and, except as in the Special Act expressly otherwise provided, the Railway and the Company shall be subject to the Provisions of every such General Act.

PART II.

Railways in General.

Dwellings of Labouring Classes.

Notice by Company as to Houses occupied by Labouring Classes.

49. The Company, not less than Eight Weeks before taking any House occupied either wholly or partially by Persons belonging to the Labouring Classes, as Tenants or Lodgers, shall make known their Intention to do so by Placard or other general Notice placed in public View on or within a reasonable Distance of such House, and they shall not take such House until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner required by this Enactment.

Lands.

Provision as to concurrent Powers of Purchase.

50. Where Two or more Railway Companies have concurrent Powers for the Purchase of Lands, no One of the Companies shall purchase any Part of those Lands until the Expiration of Twenty-one Days after Notice of the Intention to do so has been delivered to the other or others of the Companies; and if within those Twenty-one Days any of the Companies to whom Notice is delivered by a Counter-notice delivered to the Company giving the Notice objects to the Purchase by the Company giving the Notice, then neither the Company giving the Notice nor the Company objecting shall purchase any Part of the Lands referred to in the Notice until an Arbitrator appointed by the Board of Trade on the Application of either Party decides whether any, and if any, what Portion of such Lands may be purchased by each or either of them. The Arbitrator shall decide with a view to enabling both Companies to execute their Undertakings as authorized.

Roads.

Evidence of Restoration, &c. of Roads interfered with.

51. Where in the Exercise of the Powers of the Special Act a Road has been interfered with, the Certificate of Two Justices to the effect that the Road interfered with has been restored, or that a new Road has been substituted for it, and that the Road or new Road, as the Case may be, has been properly completed and put into a permanently substantial Condition in accordance with the Provisions of the Special Act, shall be Evidence of the Matters so certified, which Certificate such Justices shall grant on the Application of the Company after reasonable Notice given by the Company to the Trustees, Commissioners, Surveyor, or other Person having the Management of the Road if a public Road, or to the Owner of the Road if a private Road, of the Intention of the Company to make such Application, and on being satisfied, on View or by Evidence, of the Truth of the Matters certified.

Completion of Railway.

Penalty for Non-completion of Railway.

52. Where by the Special Act an existing Railway Company possessed of a Railway open for public Traffic are authorized to construct a new Railway, or the Time for completing a previously authorized Railway is extended, then if the Company fail within the prescribed Period to complete the new or the previously authorized Railway (as the Case may be) and to open it for public Traffic, they shall be liable to a Penalty not exceeding Fifty Pounds for every Day after the Expiration of the prescribed Period until the Railway is completed and opened for public Traffic, such Sum to be recoverable as a Debt due to the Crown,—except only in respect of any Time during which it appears by a Certificate of the Board of Trade that the Company were prevented from completing or opening the Railway by unforeseen Accident or Circumstances beyond their Control, but the Want of sufficient Funds shall not be deemed a Circumstance beyond their Control within the Meaning of the present Section.

Penalty for false Name, &c.

Punishment of Persons giving false Names, &c.

53. Where a Complaint is made against any Person of his having committed any Offence against any Provision of the Special Act, or of any Act therewith incorporated, or of the Byelaws of the Company, if such Person, on Demand made by any Officer or Servant of the Company, refuses to give or abstains from giving his Name, or refuses to give or abstains from giving his Place of Abode, or gives a false Name or false Place of Abode, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, independently of any Penalty or Punishment to which he is liable otherwise than under the present Section.

Rules

Rules respecting Tolls, &c.

Short Distance Charge.

54. For Passengers, Animals, or Goods conveyed on the Railway for a Distance less than that prescribed as the short Distance, and if none is prescribed, then for a Distance less than Four Miles, Charges shall be payable as for the short Distance prescribed, and if none is prescribed, then as for Four Miles.

Fraction of Mile; Passengers.

55. In respect of Passengers conveyed on the Railway, every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile.

Fraction of Mile; Animals and Goods.

56. In respect of Animals and Goods conveyed on the Railway for a Fraction of a Mile beyond the short Distance prescribed, or if none is prescribed, then beyond Four Miles, or beyond any greater Number of Miles, Charges shall be payable in proportion to the Number of Quarters of a Mile contained in that Fraction, and a Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile.

Fraction of Ton.

57. In respect of Goods conveyed on the Railway, for a Fraction of a Ton Charges shall be payable according to the Number of Quarters of a Ton in that Fraction, and a Fraction of a Quarter of a Ton shall be deemed a Quarter of a Ton.

Passengers Luggage.

58. Every Passenger conveyed on the Railway may, without Charge, cause to be carried in the same Train with him his ordinary Luggage, not exceeding the prescribed Weight, and if none is prescribed, then not exceeding the Weight of One hundred and twenty Pounds for a First-class Passenger, One hundred Pounds for a Second-class Passenger, and Sixty Pounds for a Third-class Passenger.

Special Trains.

59. Restrictions in the Special Act with respect to Charges for Passengers conveyed on the Railway shall not extend to Special Trains when required by Passengers, but shall apply only to the Ordinary or Express Passenger or Goods Trains appointed by the Company.

Determination of Weight.

60. The Weight of Goods conveyed on the Railway shall be determined according to Avoirdupois Weight, save that with respect to Stone and Timber, Fourteen Cubic Feet of Stone, and Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton, and so in proportion for any smaller Quantity; but it shall be in the Option of either Party to have the Weight of Stone and Timber determined by Avoirdupois Weight.

 61. In

Terminal Charges.

61. In addition to the Charges for Goods conveyed on the Railway specifically authorized by the Special Act, a reasonable Charge shall be payable for the loading, covering, and unloading of Goods at any Station on the Railway, being a Terminal Station in respect of such Goods, and for Delivery and Collection, and any other Services incidental to the Duty or Business of a Carrier where such Services or any of them are or is performed by the Company: A Station shall not be considered a Terminal Station in respect of any Goods unless they are received there direct from the Consignor or are ordered to be delivered there to the Consignee.

Small Packages.

62. The Term Small Packages, where used in the Special Act or in this Act, shall not include Articles sent in large aggregate Quantities, although made up of separate Parcels, (such as Bags of Sugar, Coffee, Meal, and the like,) but shall apply only to single Parcels in separate Packages.

Agreement for higher Charges as to Goods.

63. Nothing in this Act or in the Special Act, or any Act therewith incorporated, shall prevent the Company taking any Charge over and above the Charges by the Special Act limited for the Conveyance on the Railway of Goods of any Description, by Agreement with the Owners of or any Person in charge of such Goods, either by reason of the Conveyance thereof by Passenger Trains (except in case of Small Packages) or by reason of any other Special Service performed by the Company in relation thereto.

Company not bound to carry Manure, &c.

64. The Company shall not be bound, except by Agreement, to carry on their Railway any Nightsoil, Dung, Manure, Compost, or other offensive Matter.

Application of Money.

Interest not to be paid on Calls paid up.

65. It shall not be lawful for the Company, out of any Money by any Special Act relating to the Company authorized to be raised by Calls in respect of Shares or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital of the Company; but this Provision shall not prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as is allowed by The Companies Clauses Consolidation Act, 1845, or The Companies Clauses Consolidation (Scotland) Act, 1845, (as the Case may be).

Deposits for Bills not to be paid out

66. It shall not be lawful for the Company, out of any Money by any Special Act authorized to be raised for the Purposes of any Special

Special Act, to pay or deposit any Money by any Standing Order of either House of Parliament required to be paid or deposited in respect of any Application to Parliament for an Act to authorize the Company to construct any Railway or to execute any Work or Undertaking. of Company's Capital.

Savings and Restrictions.

67. The Company shall not take, use, or interfere with any Lands or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty, Her Heirs or Successors, in right of the Crown, under the Charge or Management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, without the previous Consent of those Commissioners, or One of them, on behalf of Her Majesty, Her Heirs or Successors (which Consent those Commissioners respectively are hereby authorized to give); and as incidental to any such Consent the Company may enter into any Agreement with those Commissioners, or One of them, who respectively may, with the Approval of the Commissioners of Her Majesty's Treasury, join in every such Agreement; and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, with the like Approval, and the Company respectively, may execute all necessary or proper Conveyances, Leases, Licences, or other Deeds or Instruments of or relating to any Lands or Rights belonging to Her Majesty, Her Heirs or Successors, in right of the Crown; and every Agreement so entered into as aforesaid shall be performed by the same Commissioners and the Company respectively; and nothing in the Special Act, or in any Act therewith incorporated, shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority at the passing of the Special Act or from Time to Time vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors in right of the Crown. Saving for Rights of Crown.

68. The Company shall not take, use, or interfere with any Lands or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty, Her Heirs or Successors, in right of the Duchy of Lancaster, without the previous Consent of the Chancellor of the Duchy for the Time being, which Consent he is hereby authorized to give on such Conditions as he thinks fit; and nothing in the Special Act, or in any Act therewith incorporated, shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority at the passing of the Special Act or from Time to Time vested in Saving for Rights of Duchy of Lancaster.

or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in right of the Duchy of Lancaster.

Saving for Lands, Rights, &c. of War Department.

69. The Company shall not take, use, or interfere with any Lands or any Rights whatever vested in or held by such One of Her Majesty's Principal Secretaries of State as is for the Time being intrusted with the Seals of the War Department without his previous Consent in Writing under his Hand, which Consent he is hereby authorized to give on such Conditions as he thinks fit; and nothing in the Special Act or any Act therewith incorporated shall (except as by the Special Act expressly provided) take away, lessen, prejudice, or alter any Right, Privilege, or Power vested in or exercised by the Secretary of State for the Time being.

Saving for Lands held by Board of Trade.

70. The Company shall not take, use, or interfere with any Lands vested in or held by the Board of Trade, without the previous Consent of the Board of Trade, under the Hand of One of their Secretaries or Assistant Secretaries.

Saving for Lands, &c. of Commissioners of Works, &c.

71. The Company shall not take, use, or interfere with any Lands belonging to the Queen's most Excellent Majesty, Her Heirs or Successors, in right of the Crown, under the Charge or Management of the Commissioners of Her Majesty's Works and Public Buildings, or any Lands belonging to those Commissioners, without the previous Consent of the First Commissioner for the Time being of Her Majesty's Works and Public Buildings, which Consent he is hereby authorized to give, on such Conditions as he thinks fit.

Consent of Conservators for Works affecting Thames.

72. The Company shall not make any Work on any Part of the Shore or Bed of the River Thames within the Jurisdiction of the Conservators of the River Thames without the previous Consent of the Conservators under the Hand of their Secretary.

Works to be according to approved Plan.

73. The Company shall not embank, encroach on, or interfere with any Part of the Shore or Bed of the River Thames within the Jurisdiction of the Conservators of the River Thames, except according to Plans approved by the Conservators.

Material from River.

74. The Company shall not take any Gravel, Soil, or other Material from the Bed of the River Thames within the Jurisdiction of the Conservators of the River Thames without the previous Consent of the Conservators under the Hand of their Secretary.

Erection of PublicStairs.

75. If the Company shut up, remove, or obstruct the Use of any Free Public Stairs or Landing Place within the Jurisdiction of the Conservators

Conservators of the River Thames, they shall forthwith erect or provide in lieu thereof some equally convenient Free Public Stairs or Landing Place to the Satisfaction of the Conservators; and if the Company fail to execute any Work which by the present Section they are required to execute, the Conservators may do so, and may recover the Expense of doing so from the Company by Proceedings in any Court of competent Jurisdiction.

Saving for Rights of Conservators of Thames.

76. Except as by the Special Act expressly provided, nothing therein or in any Act therewith incorporated shall derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Conservators of the River Thames, or prohibit, defeat, diminish, or alter any Power, Authority, or Jurisdiction which at the passing of the Special Act, or at any Time thereafter, they lawfully claim, use, or exercise.

Saving for Operation of General Acts.

77. Nothing in the Special Act or in any Act therewith incorporated shall exempt the Railway or the Company from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, in force at the passing of the Special Act or thereafter passed in the same or any subsequent Session of Parliament, or from any subsequent Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized to be taken in respect of the Railway or of the Rates for small Packages, and, except as in the Special Act expressly otherwise provided, the Railway and the Company shall be subject to the Provisions of every such General Act.

Railways Clauses.

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BILL

[AS AMENDED IN COMMITTEE]

For consolidating in One Act Provisions applicable to Metropolitan and other Railways.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Monsell.*)

Ordered, by The House of Commons, *to be Printed*, 16 *April* 1866.

[Bill 103.]

Under 4 *oz.*